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Teri Deshun Durden
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**The Report Committee for Teri Deshun Durden
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**Code Violations and Other Blight Indicators:
a Study of Colony Park/Lakeside (Austin, TX)**

**APPROVED BY
SUPERVISING COMMITTEE:**

Supervisor:

Elizabeth Mueller

Bjorn Sletto

**Code Violations and Other Blight Indicators:
a Study of Colony Park/Lakeside (Austin, Texas)**

by

Teri Deshun Durden, B.A.

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Dedication

To members of the Colony Park Neighborhood Association - I have learned so much from you all. Thank you for everything.

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Abstract

Code Violations and Other Blight Indicators: a Study of Colony Park/Lakeside (Austin, Texas)

Teri Deshun Durden, MSCRP

The University of Texas at Austin, 2013

Supervisor: Elizabeth Mueller

Blight and the elimination thereof have profoundly impacted urban areas. In Colony Park/Lakeside (Austin, Texas), community leaders and members of the local neighborhood association have come together to mitigate and reverse social, economic, and physical symptoms of blight in their neighborhood. Following the approval of a HUD Community Challenge Planning Grant application that would allow the City of Austin-Neighborhood Housing and Community Development (NHCD) department to plan 208 acres of land in the area, residents utilized media attention surrounding the grant to campaign for code enforcement, landlord-tenant accountability, and the clean-up of illegal dumping in their neighborhood. After much ado between residents and City workers, the neighborhood association devised a community-focused partnership with the City to ensure that current residents would reap the benefits of the planning process and help define the collective will and interests of the community.

Utilizing publicly available data and first-hand knowledge from one City code compliance investigator and local residents, this report attempts to provide a blight indicator analysis of the Colony Park/Lakeside planning area as defined by NHCD. In other words, this report uses quantitative data to create descriptive maps of current neighborhood conditions with particular attention to code violations and community discussions surrounding them. The results of this work are intended to shed light on where resources should be directed to further research in the area and to resolve issues that threaten the health, safety, and viability of the neighborhood today.

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Chapter 1: Introduction

Problem properties, such as abandoned and vacant properties, are among the most common symptoms of blight in urban areas; however, other symptoms are less visible to the naked eye (The University of Texas School of Law 2010). In Colony Park/Lakeside (Austin, Texas), residents have increased communication with code compliance investigators in an effort to mitigate physical symptoms of blight in their neighborhood. Moreover, in light of City of Austin plans for new residential and commercial developments in the area, residents have also initiated conversations with the Austin Police Department (APD) and Austin Neighborhood Housing and Community Development (NHCD) department concerning social and economic factors that may impede these developments and the successes thereof. These include longtime issues related to crime, infrastructure, and neighborhood amenities. Even so, bringing attention to the most evident issue areas has proven to be a difficult task for the local neighborhood association.

In this study, blight indicators are framed as a means of identifying and mitigating potential threats to the quality of life experienced by residents in Colony Park/Lakeside – a northeast Austin neighborhood located east of U.S. Highway 183 and south of E. Highway 290 (**Figure 1**). Although blight is historically associated with conditions that justified the clearance of neighborhoods and the inevitable displacement of low-income residents, this study approaches blight from a point of equity and capacity-building among community leaders. In this regard, the following analysis is meant to help the Colony Park/Lakeside community identify impediments to quality residential and commercial developments in their neighborhood. More specifically, it is meant to provide

a spatial representation (i.e., descriptive maps) of problem areas that may be worthy of exploration by City workers seeking to improve the health, safety, and viability of the neighborhood, particularly while existing residents continue to live there.

Drawing from a specific definition of blight – i.e., *conditions that threaten the health and safety of neighborhood residents, depress an area's quality of life, and jeopardize the social and economic viability of an area* – this report identifies potential blight indicators in Colony Park/Lakeside.¹ For guidance, this report employs interviews and a composite list of blight indicators developed by Dr. Sudha Arlikatti—Associate Professor and Program Coordinator of Emergency Administration and Planning at the University of North Texas (UNT). This list includes a variety of socioeconomic indicators (e.g., unemployment rates) and physical indicators (e.g., vacancy rates) used by researchers and city administration across the nation. Moreover, it is loosely inspired by the aforementioned definition of blight, which is open to a number of interpretations. Still, this report describes data and research methods that could be used to shed light on current conditions in and around Colony Park/Lakeside, with emphasis on property code violations that are typically found in blighted areas.

¹ Unofficial definition provided by Dallas Area Habitat for Humanity via Dr. Sudha Arlikatti, Associate Professor at UNT

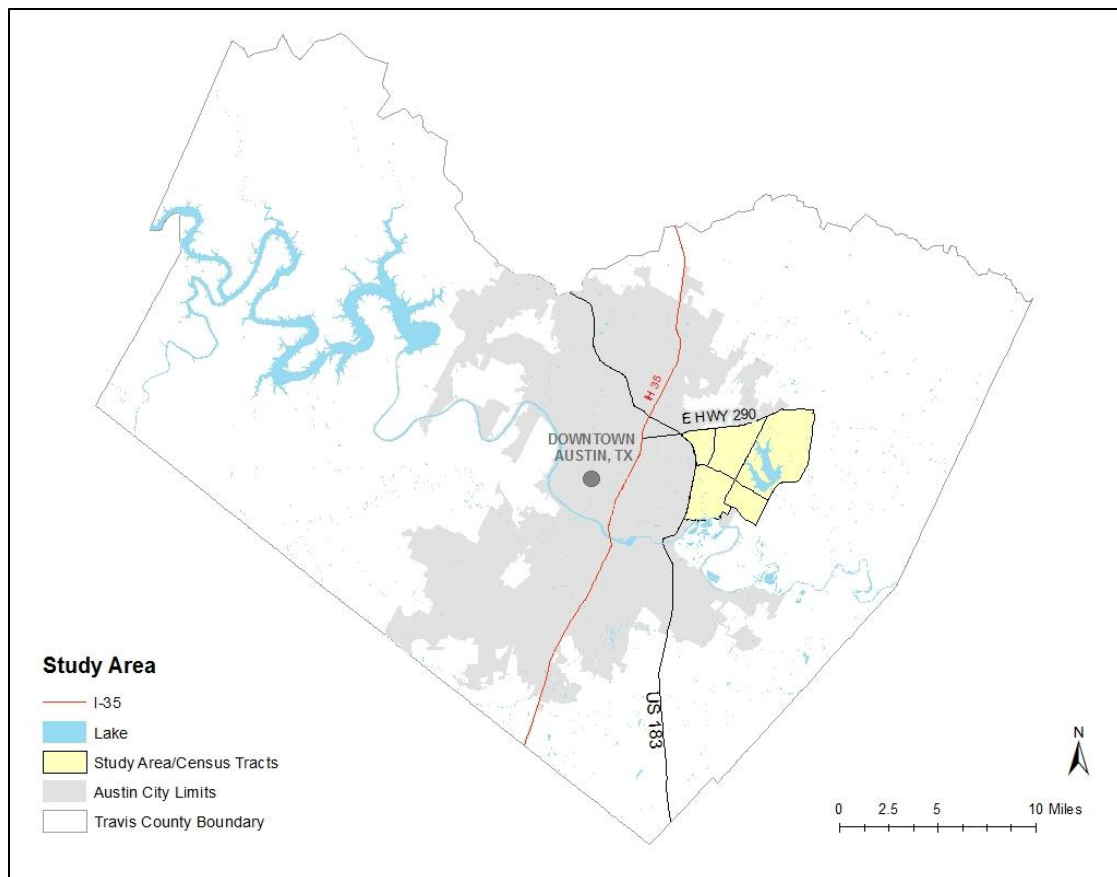


Figure 1: Colony Park/Lakeside Study Area in Austin, Texas

The Colony Park/Lakeside community has already set an agenda for addressing blighted conditions and perceptions of poverty in their neighborhood. Unfortunately, the details of this agenda did not gain attention until City workers announced that they had received a planning grant to develop land joining the two areas – that is, the HUD Sustainable Communities Challenge Grant. At this point, residents began to express their immediate concerns, and eventually, it became clear that their voices had not been heard during the grant-writing process. The Colony Park Neighborhood Association (CPNA) charged that the grant application did not include short-term goals for addressing

longtime issues in the area. Moreover, it did not reflect the collective desires of the community. Thus, news coverage concerning the planning grant provided a platform for the CPNA to campaign for code enforcement, clean-up, and maintenance in Colony Park/Lakeside. Additionally, it provided an opportunity to discuss how the planning grant could be used to gather community input on the type of improvements that should happen in the area. In the last year or so, media attention and the collective will of the CPNA has brought much-needed improvements to Colony Park/Lakeside; however, the neighborhood still has a long way to go. Fortunately, the City has considered the community's voice and is working with the CPNA to create a more community-based planning process that is transparent and responsive to current needs.

The following sections provide a brief history of my study area, my research questions, and the methods I will use to conduct a blight indicators analysis in Colony Park/Lakeside.

1.1 Neighborhood Background

To summarize the Colony Park/Lakeside story, community leaders point to: (1) the City's annexation of 258 acres of land in what is now Colony Park; and (2) the City's affordable housing goals as they appear in the comprehensive plan that was adopted soon after. Together, these events set the tone for current community concerns about the City's ties to the land and the social and economic viability of the neighborhood today. The historical context of these points follows:

Colony Park 1970s

- 1970s – City annexes 258 acres of land in the Colony Park

- 1979 – City adopts the Austin Tomorrow Comprehensive Plan
- 1979 –City establishes the Austin Housing Finance Corporation

In the early 1970s, City of Austin annexed 258 acres of land in what is now known as Colony Park. Soon after, the City adopted the Austin Tomorrow Comprehensive Plan, which included objectives and goals for housing and neighborhood development in Austin. More specifically, it focused on housing quality and adequacy for all residents.² In this regard, one of the primary goals in the plan was to increase the availability of housing for low and moderate-income households in an integrated setting.³ This led to the creation of the Austin Housing Finance Corporation – a public, nonprofit corporation that exists to generate and implement strategic housing solutions for the benefit of low to moderate income residents.⁴ This organization went on to help the City make its affordable housing goals a reality.

Colony Park 1980s-90s

- Early to mid-1980s –Colony Park Neighborhood is established
- 1986 -Low Income Housing Tax Credit (LIHTC) Program
- Late 1990s –Affordable Housing Crisis in Austin

According to residents, in the early to mid-1980s, the “Old” Colony Park neighborhood was officially established –consisting primarily of renter-occupied housing units. During this time, the Low Income Housing Tax Credit Program (LIHTC) was

² Austin Tomorrow Comprehensive Plan 1979, pg. 63-72

³ Ibid, pg 69

⁴ Austin Neighborhood Housing and Community Development grant application package, pg. 13

created as an investor subsidy for the production of low-income housing developments nationwide.⁵ As a result, Colony Park and other east Austin neighborhoods gained additional low-income rental units. However, by the end of the 1990s, the housing affordability problem in Austin had reached “crisis proportion” due to construction costs, regulatory barriers (such as land use controls and neighborhood opposition), the rapid pace of growth, and other market forces.⁶

Colony Park -2000s

- 2000s –City adopts S.M.A.R.T. Housing Initiative
- 2000s –Assisted homeownership increases in Colony Park

To mitigate the effects of rising housing costs, city council adopted the S.M.A.R.T. Housing Initiative to help moderate the trends that made much of the local real estate unaffordable for low to moderate income families.⁷ Around this time, the “New” Colony Park experienced an increase in assisted homeownership. However, critics of the S.M.A.R.T. Housing Initiative were concerned with increasing the concentration of low-income persons in traditionally low-income neighborhoods.⁸

Colony Park – 2001-Present

- 2001 –City establishes Ordinance NO. 010524-18

⁵ U.S. Department of Housing and Urban Development

⁶ S.M.A.R.T. Housing: A Strategy for Producing Affordable Housing at the Local Level (2005). Available at: http://www.lakecountyfl.gov/pdfs/2025/SMART_Housing.pdf Accessed April, 2012

⁷ Ibid

⁸ Ibid

- 2001 –City proposes a mobile home development in Colony Park
- 2011 –City of Austin NHCD receive \$3 million planning grant for Colony Park

On May 24, 2001, approximately 208 acres of land was transferred from the City to the AHFC for the development of low to moderate-income housing.⁹ In the same year, the City proposed an all-affordable housing development in Colony Park; however, residents would not support this project. Even so, a number of low-income rental properties were inserted in and around Colony Park during this time period, and although these properties were not located on the city-owned land, residents suspected that the neighborhood had become the City’s “dumping ground” for low-income housing developments.

In January 2012, Austin NHCD received a \$3 million dollar planning grant from the U.S. Department of Housing and Urban Development (NHCD 2011). This planning grant provides the City with an opportunity to develop the 208 acres of publicly-owned land in Colony Park. In the grant proposal, Austin NHCD defined Colony Park by five census tracts, which extend far beyond the neighborhood (**Figure 2**). Soon after this grant was announced, Austin NHCD faced opposition from Colony Park/Lakeside residents, namely members of the CPNA, as the proposal called for the inclusion of a significant amount of new affordable housing. Given the conditions of existing affordable housing in

⁹ City of Austin. Ordinance NO 010524-18. Available at: <http://www.austintexas.gov/> . Accessed April 5, 2012

the area, and aging rental housing more generally, the CPNA viewed NHCD's goal as a threat to a better quality of life in Colony Park/Lakeside.

1.2 Research Questions

This report seeks to answer three questions: First, in addition to problem properties, what other blight indicators exist in Colony Park/Lakeside? Second, if these indicators are not addressed, how might they negatively impact plans for development in the area? Third, how might residents use this information to increase landowner and city-level accountability for blighted conditions in Colony Park/Lakeside? In summary, these questions reflect larger discussion about what is perceived to be serious neglect and disinvestment in Austin-area, low-income neighborhoods like Colony Park/Lakeside. Moreover, these questions are meant to inspire the City to be more proactive in the maintenance and security of rental properties in this area.

1.3 Research Approach

To answer these questions, this report utilizes qualitative and quantitative research methods. First, this report draws from first-hand accounts from a neighborhood drive and interview with one city code compliance investigator. This investigator is most familiar with my study area and keeps an open line of communication with members of the CPNA. The neighborhood drive was coordinated after several interactions with longtime residents and NHCD. Second, this report draws from the previously described list of blight indicators. These indicators require a number of datasets, including: socioeconomic data, code compliance data, crime data, and land use data. Wherever possible, this report utilizes Geographic Information Systems (GIS) tools to display this data within the

geographic boundary of my study area (**Figure 2**). Although this report examines data within each of the 5 identified census tracts, particular attention is given to census tract 22.02, which contains the City project site and the Colony Park/Lakeside neighborhood.

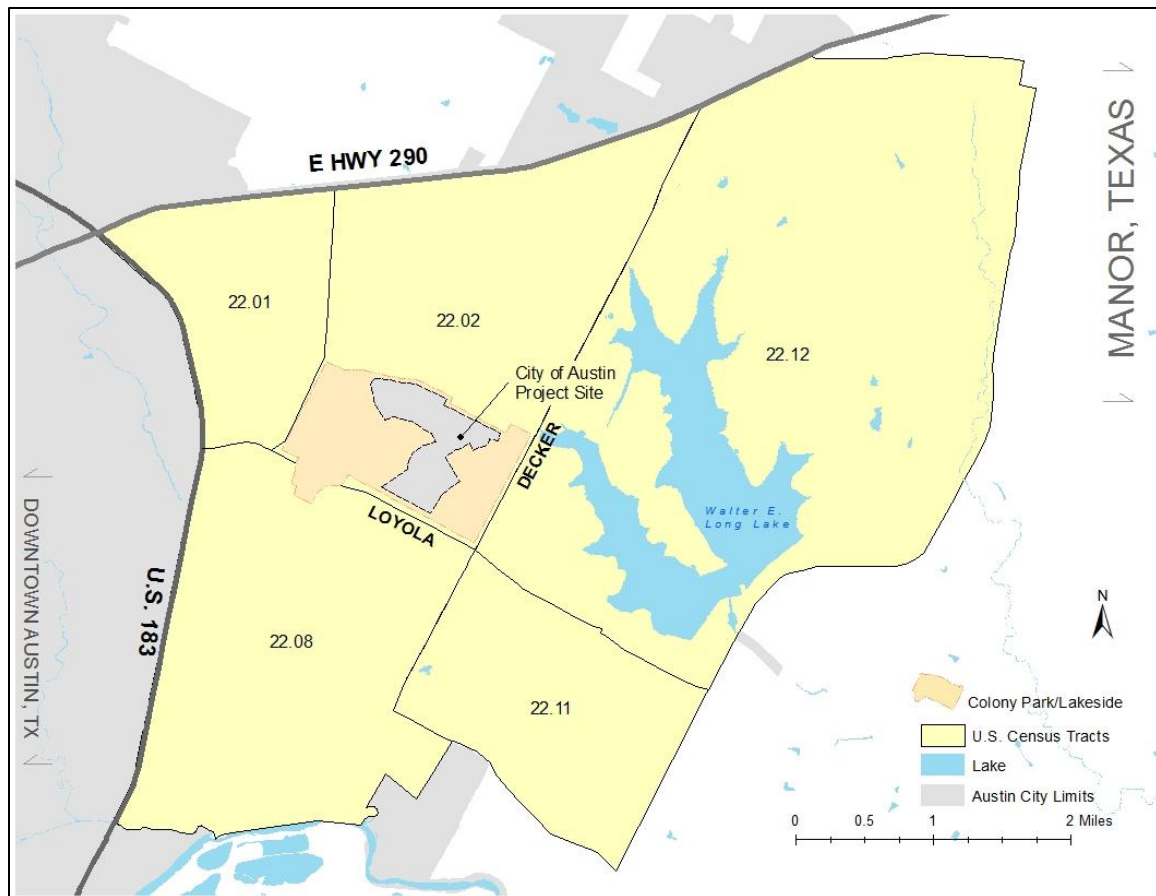


Figure 2: Colony Park/Lakeside Neighborhood and Project Site

In order for residents to believe that real improvements will come to the area, they would need to see less symptoms of blight in and around the neighborhood. Without this, residents fear that the commercial amenities that they desire to see will not come to fruition after the neighborhood planning process. The findings in this report will be

shared with members of the CPNA who are working to address barriers to quality residential and commercial developments in Colony Park/Lakeside through the Colony Park Sustainable Community Initiative (CPSCI). Hopefully, the final maps will be used as a tool in the ongoing discourse between CPNA and the City—namely code enforcement and NHCD—concerning short-term goals for addressing current conditions. The thoughts and opinions of the CPNA, NHCD, and code enforcement serve as the base for this report.

To complement this work, this report includes recommendations for a resident-led street maintenance survey of the area, which is designed to help individuals and communities identify and map physical blight indicators within their neighborhoods through an online database. This survey will highlight structural challenges that might be worthy of a city-level intervention. The details of this survey method and the list of blight indicators are included in Appendix A of this proposal. Combining these research methods could help create powerful and inspiring visuals that clearly represent the issue and particular problems found in Colony Park/Lakeside. Lastly, this report suggests ways to mitigate and/or reverse the impacts of blight in the area through the exercise of political power, tenant-landlord accountability, and renter registration.

Chapter 2: Blight, Housing Code, and the Impacts of Substandard Housing

The term ‘blight’ has a number of definitions and interpretations in the context of urban areas (Darling 1943; Gordon 2003; Brown 2004; McGovern 2006; Thompson 2012). Chapter 2 provides a brief overview of blight, code enforcement, and the economic impacts of substandard housing. It concludes with references to a historic, community-controlled, neighborhood revitalization effort.

2.1 History of Blight

Historically, blight has been associated with substandard housing conditions that posed a threat to the health, safety, and welfare of working-class families, particularly those in early industrial American cities (Darling 1943; Gordon 2003; Brown 2004; McGovern 2006; Morrow-Jones 2011; Thompson 2012). In this regard, blight referred to conditions of poverty. These conditions were most pronounced in what was known as tenement (i.e., rental) housing or “slums”, where diseases and fire hazards were among the leading causes of death, and arguably, perpetual decline and abandonment in central city neighborhoods. These problems were further complicated by widespread crime, poverty, and the flight from blight to the suburbs. Blight existed in a variety of forms that could not be eradicated quickly without some large-scale intervention. Altogether, the burden brought about by blighted conditions was far too great for municipal service systems and infrastructure available in central cities. Increasing awareness of public health and safety issues provided a platform for extreme government intervention, which came in the form of the housing codes, and eventually, urban renewal.

2.2 Housing Code Enforcement

The Tenement Housing Act of 1901 set basic standards for housing and housing codes (Lowden Wingo 1966; Prothman 2010). For starters, it called for extensive changes in pre-existing tenements and outlawed the construction of new tenements. More specifically, for preexisting tenements, sanitation, access to light, fire escapes, and ventilation were among the top priorities. These measures would help improve the condition of tenements and to protect the health and safety of central city residents living in over-crowded rental properties. Over time, however, these improvements were more geared toward the protection of the integrity of rental properties, which were at risk of falling into disrepair. In this regard, housing codes were meant to ensure that the quality of central city housing stocks and neighborhoods met minimum standards.

2.3 Urban Renewal

Urban renewal was the answer to blighted conditions which plagued cities across the nation (Lowden Wingo 1966; Gordon 2003; Brown 2004; Schussheim 2007). It called for the clearance of slums (i.e., blighted residential neighborhoods) using the legal tools of eminent domain whereby cities acquired and demolished blighted properties. Although contentious, eminent domain gave public officials the power that they needed to clean up and revive central city neighborhoods, for the public good. Nevertheless, their actions came with a price, as interpretations of the terms ‘slum’ and ‘blighted’ were not up for discussion with the community. Entire communities were uprooted from the places that they called home, without the option to return and reap the benefits of local interventions. In this regard, urban renewal was the beginning of what would be a series of government-sponsored neighborhood revitalization efforts, which were not clearly

justifiable, equitable, or limited to residential areas. More specifically, these revitalization efforts would eventually focus on urban economic development.

2.4 Impacts of Substandard Housing

During the urban crisis of the 1930s, blighted areas were considered economic liabilities (Lowden Wingo 1966; Gordon 2003; Schussheim 2007). In this regard, dilapidated properties and other physical symptoms of blight pointed to a larger set of issues such as declining rents, tax revenues, and private investment in these areas. To alleviate these conditions, municipalities could apply for federal funds to buy and clear these properties for redevelopment. For example, economic development opportunities, such as tax increment financing (TIFs), became a popular option for cities seeking federal funding for the redevelopment of commercial districts. Ultimately, the goal was to attract private developers reluctant to build near problem properties. By this time, most definitions of blight were so broad and open that municipalities deemed entire blocks, neighborhoods, and cities as blighted based on certain aspects of these definitions that suited their interests. In summary, blight loosely defined undesirable conditions of all sorts among places producing insufficient tax revenues to support local needs.

2.5 Community-Controlled Neighborhood Revitalization

In a modern context, low-income tenants have organized themselves around issues of blight and disinvestment through community-based planning efforts. Beginning in the 1980s, the Dudley Street Neighborhood Initiative (DSNI) gained recognition as a model for community-controlled neighborhood revitalization. Following a collective exercise of political power over illegal dumping in the neighborhood, residents organized

themselves around broader issues concerning community economic development.¹⁰ These residents understood that municipal neglect and disinvestment had contributed to declining conditions in the area, including vacant and abandoned properties. For these reasons, businesses were unwilling to locate and/or relocate here. With time, however, the collective will of residents led to much-needed improvements and increasing opportunities that seemed impossible before the establishment of DSNI.

In summary, blight and the elimination thereof have profoundly impacted urban areas –for better or for worse. More specifically, it has and continues to serve as a starting place for small and large-scale interventions intended to revive depressed communities. The role the community plays in these efforts has proven critical to whether they benefit from them.¹¹

¹⁰ Dudley Street Neighborhood Initiative (DSNI). “Urban Village: <http://www.dsni.org/urban-village> . Accessed April 23, 2012

¹¹ Benfield, Kaid. Why Community-Based Planning Works Better Than Anything Else. The Atlantic Cities: http://www.theatlanticcities.com/neighborhoods/2012/03/why-community-based-planning-works-better-anything-else/1587/#disqus_thread. Accessed March 26, 2012

Chapter 3: Colony Park/Lakeside (Austin, Texas)

Today, the City enforces ordinances (with the help of neighborhood groups) to maintain the quality and extend the life of existing housing. Chapter 3 describes code violations and other symptoms of blight in Colony Park/Lakeside. First, it describes the state of code enforcement in Austin, Texas. Second, it describes code enforcement as it relates to landlord-tenant accountability. And third, the chapter concludes with a discussion on problem properties in Colony Park/Lakeside, particularly as they are defined by residents and one code enforcement investigator who is most familiar with the neighborhood.

3.1 State of Code Enforcement in Austin, Texas

Austin, Texas is primarily a renter-occupied metropolis.¹² Unfortunately, as recent news reveals, older rental properties in the city often fall into despair, and thereby, compromise the health and safety of Austin's tenants.¹³ Residents of a recently evacuated southeast Austin apartment complex are still waiting to return to their homes, where inspectors found 760 code violations.¹⁴ This investigation began only after a second-floor walkway collapsed, prompting the evacuation of 160 residents from 50 units.¹⁵ Sadly, code violations are not uncommon and they do not begin to describe the horrors that

¹² U.S. Census Bureau, 2010 Data, Renter-occupied housing units: 2010 - 54.9%. Available at <http://factfinder2.census.gov/>

¹³ Austin American Statesman, City officials cite off-code materials at apartments where walkway collapsed. Available at <http://www.statesman.com/news/local/city-officials-cite-off-code-materials-at-apartments-2377580.html?printArticle=y> . Accessed May 26, 2012

¹⁴ Austin American Statesman. Wood Ridge: 3.6 code violations per minute. Available at: http://www.statesman.com/blogs/content/shared-gen/blogs/austin/investigative/entries/2012/06/15/wood_ridge_9_code_violations_p.html. Accessed June 2012

¹⁵ Ibid

many Austin-area, low-income renters face –particularly in east Austin.¹⁶ Furthermore, these violations are not limited to older rental properties. Residents of relatively new properties (meaning those developed within the last ten years) are entangled in a variety of tenant-landlord disputes resulting from neglect and absenteeism as well.

In some instances, if a tenant reports a maintenance issue or any other property code violation to the City, the outcome may or may not work in his or her favor. Troy Collins – an Investigator at City of Austin Code Compliance – suggests that low-income tenants may not be prepared for the backlash and/or consequences of reporting their landlords, making them less likely to call in their complaints. Some violations may require the tenant(s) to evacuate the property –leaving them without a place to stay. If the landlord decides to retaliate, the tenant could face eviction or lose a lease, which is less desirable.¹⁷ Furthermore, if the tenant is an undocumented immigrant, the results could be more severe.¹⁸ Nevertheless, some low-income tenants are speaking out about their landlords and the perception of poverty associated with poorly maintained rental properties, such as those in Colony Park/Lakeside. Additionally, low-income tenants are speaking out about the dangers of inhabiting these properties.

A simple *Google* search of east Austin apartments reveals the sentiments of tenants experiencing a variety of maintenance and management issues that go beyond the “normal wear and tear” of a rental unit. Imagine living in a place where plumbing, pest

¹⁶ Austin American Statesman, History repeats itself at apartments deemed unsafe by city. Available at <http://www.statesman.com/news/local/history-repeats-itself-at-apartments-deemed-unsafe-by-2396957.html?printArticle=y> . Accessed June 10, 2012

¹⁷ Austin American Statesman, Wood Ridge tenants deserve more. Available at <http://www.statesman.com/opinion/wood-ridge-tenants-deserve-more-2422950.html> . Accessed July 26, 2012

¹⁸ Austin American Statesman, History repeats itself at apartments deemed unsafe by city, Sunday, June 10, 2012.

control, and criminal activity are recurring issues –where no one with ties to the property is available to return your calls or address your concerns. The problem with not reporting this information is that no one else knows about it and the problem escalates beyond the tenant’s control. More importantly, the property owner is not held accountable or forced to abide by the law. According to Collins, many cases are only reported after code compliance investigators discover them on their own. Furthermore, low-income tenants are more likely to report “minor” code violations over some of the more obvious and/or threatening violations, which places them at a greater risk.

For the purposes of this study, the following sections focus on tenants’ rights and responsibilities that relate to rental property maintenance and security. Additionally, they shed light on how the City and property owners are responding to recent complaints in Colony Park/Lakeside, and how the poor conditions of rental properties threatens the overall quality of life in this area.

3.2 City Code Compliance and Landowner-Tenant Accountability

A number of the previously discussed issues associated with rental problems stem from a lack of code enforcement and landowner accountability. If rental properties are not inspected on a regular basis, it is no surprise when routine repairs (to remedy normal wear and tear on the property) are not made in a timely manner.¹⁹ What begins as an easy-fix turns into a nuisance and/or hazard for the people who inhabit these properties, and if the tenant is unwilling to report this information, repairs go unaddressed or come out of the tenant’s pocket. However, if the tenant reports a code violation, the process usually occurs in the following way:

¹⁹ Property Code. Title 8. Landlord and Tenant; Chapter 92 – Residential Tenancies

Basic Code Compliance Procedures²⁰

- Complaints are usually reported via 311 –either by the tenants of the property or those in the surrounding neighborhood.
- In cases involving the latter, the callers remain anonymous
- Following the initial complaint, code compliance surveys the area and investigates the legitimacy of the complaint
- Once a violation is confirmed, code compliance takes a photo and notifies the property owner via mail, phone, or a combination of the two
- Depending on the nature of the violation, the property owner is given seven days to rectify the issue.
- If the property owner does not comply with the first notice, code compliance “posts” the property –meaning a second notice is posted in the front yard of the property, giving the property owner seven more days to comply.
- By then end of this term, if nothing has changed, code compliance abates the property and bills the owner. Charges vary from case to case.

According to Collins, east Austin rental properties like those in Colony Park/Lakeside possess a variety of maintenance, housing, and zoning violations, which may or may not be reported on a regular basis. Unfortunately, the majority of code violations in low-income neighborhoods are not reported by tenants of the property. For example, in his work with Colony Park/Lakeside, many of the complaints he receives come from members of the neighborhood association who may or may not inhabit these properties. Additionally, on a volunteer drive through the area, code compliance officers

²⁰ Summary provided by Troy Collin, City of Austin Code Compliance Investigator, August 2012

may discover code violations on their own, particularly those that are more visible from the exterior of the property. All in all, the lack of reporting may inhibit the City's ability to respond to property code violations in a timely manner.

Another factor which might delay code compliance or the response rate to a notice of code violation is an inability to notify the property owner. According to Collins, the Travis County Appraisal District database is not updated on a regular basis, therefore, when code compliance attempts to notify a property owner, they may or may not have the right contact information. He also states that many of the older properties in places like Colony Park/Lakeside are heirs' properties, which inhibits communication between the City and those responsible for the property in question. This further complicates the process of rectifying property code violations, and thereby, provides no guarantees for tenants. Thus, there has been increasing interest in creating a City rental registry, which I will discuss in the conclusion of this report.

As previously stated, low-income tenants are less likely to report a code violation out of fear of backlash from the property owner. According to Collins, generally, low-income tenants understand that in some instances, they are fortunate to have lower rents than other Austin-area tenants. More likely than not, these tenants do not want to "rock the boat," or put themselves at risk for eviction or higher rents. Therefore, no one is held accountable for existing property deficiencies, and code compliance may or may not rectify the issue as it is not "standard operating procedure" for them to show up at suspect properties.²¹

²¹ Austin American Statesman, Wood Ridge: 3.6 code violations per minute, Friday, June 15, 2012.

Texas Property Code

For the purposes of this study, it is important to clarify what may or may not be the responsibilities of property owners. In some instances, the tenant may be responsible for damage to the property or other code violations, which may or may not be a part of the owner's normal property maintenance procedures and requirements. Section 92.001 (4) of the Texas Property Code states that,

*“Normal wear and tear” means deterioration that results from the intended use of a dwelling, including...breakage or malfunction due to age or deteriorated condition... [The] term does not include deterioration that results from negligence, carelessness, accident, or abuse of the premises, equipment, or chattels by the tenant, by a member of the tenant’s household, or by a guest or invitee of the tenant.*²²

This is to say that not all property deficiencies or other code violation can be resolved by notifying the maintenance team or the property owner. Even so, once a new tenant takes over the lease of the property, the owner is expected to repair any condition that would make the property uninhabitable, and depending on the conditions of the lease, this could include non-structural and/or non-mechanical repairs as specified in the Texas Property Code.

For tenants living anywhere in Texas, the landlord must provide:

- *A dwelling that is decent, safe, and sanitary;*
- *Repairs of conditions that threaten the health or safety of an ordinary tenant;*

²² Ibid

- *A device in good working condition to supply hot water of a minimum temperature of 120° Fahrenheit;*
- *Smoke detectors; and*
- *Secure locks on all doors and windows, including a keyless bolting device [and other security devices required by law]²³*

The problem is that, for low-income properties and/or absentee landlord properties, these repairs may not occur unless legal action is taken by the tenant(s). Moreover, if the necessary repairs go beyond an individual unit, such as general structural issues, a more proactive type of inspection/enforcement system is needed.

Austin Tenants' Council

The Austin Tenants' Council (ATC) exists to resolve tenant-landlord disputes and to protect tenants' rights through education, information, and advocacy.²⁴ Much of their work is centered on housing repair and rehabilitation throughout Travis County. Not surprisingly, ATC confirms a “high volume” of phone calls from Colony Park/Lakeside – particularly along Decker Lane –which is primarily a low-income (MFI: \$32,769) and renter-occupied (62%) area.²⁵

The ATC website states that,

“Tenants have the right to have any condition that threatens their health or safety repaired. Subchapter B of Chapter 92 of the Texas Property Code (§92.051 –

²³ Austin Tenants' Council (ATC). Available at <http://www.housing-rights.org/repairs.html> . Accessed July 26, 2012

²⁴ Austin Tenants' Council (ATC). Available at <http://www.housing-rights.org/>. Accessed July 26, 2012.

²⁵ U.S. Census Bureau, 2010 Data, Census Tract 22.02

§92.061), describes the process a tenant must follow to enforce repair rights and provides specific remedies for a tenant if the landlord refuses to make the repairs. By giving the proper notices, a tenant can obtain repair remedies as soon as legally possible... ”²⁶

However, in some instances, it is up to the tenant(s) to enforce repair rights – that is, if the City fails to legally hold landlords accountable through routine inspections. Notifying ATC or code compliance may be among the first steps to doing so, but any action taken thereafter is up to the property owner, who may or may not make the repairs.²⁷

3.3 Code Enforcement in Colony Park/Lakeside

Colony Park/Lakeside provides some examples of rental properties that the community has identified as problematic –some of which were developed in the last ten years or so. Older properties such as those in Colony Park/Lakeside pose a greater number of challenges for tenants and the City.

Collins keeps an open line of communication with local residents, namely, members of the CPNA, which also includes Lakeside residents. It appears that this relationship was established after a neighborhood walk with code compliance and the neighborhood association, which occurred in the spring of 2012. This neighborhood walk consisted of 20 cars filled with city workers, police officers, and residents of Colony Park/Lakeside. At this time, the residents’ concerns were unveiled, and thereafter, the City documented over 100 property code violation using a “knock and talk” method –

²⁶ Austin Tenants’ Council (ATC). Available at <http://www.housing-rights.org/repairs.html> . Accessed July 26, 2012

²⁷ Austin American Statesman, Wood Ridge tenants deserve more, Thursday, July 26, 2012.

meaning city workers spoke to tenants directly about various maintenance, housing, and zoning violations on the spot. If the tenants were not available, city workers left a door hanger behind with instructions on how to report some of the more visible deficiencies on the property.

Within a week of this neighborhood walk, a notice of violation was sent to various property owners, including a time frame for addressing the violation(s). The majority of these notices were intended to address maintenance violations, which are the responsibility of the property owner. Others included housing violations, such as structural damage to the property, and zoning violations, such as businesses being run out of a residence or cars parked in the yard. Since the neighborhood walk, about 175 cases have been reported, and calls from the neighborhood association continue to come in daily.²⁸ Of these cases, 6 to 8 cases are open –meaning the property owners have been contacted and have devised a plan for rectifying the violation. The others are either closed or in the process of being resolved.

One of the more glaring property code violations documented by the City is the illegal dumping in Lakeside. Last spring (2012), Colony Park/Lakeside residents shared their concerns about the presence of dumpsters along Wentworth Drive and Garcreek Circle. A variety of multi-family housing units exist in these areas –mostly fourplexes and duplexes, which are at least 25 years old. According to residents, these dumpsters belonged to the individual(s) responsible for the maintenance of these properties. Furthermore, these dumpsters (1 to 2 per fourplex) were emptied irregularly –creating an overflow of trash and a stench in the neighborhood. Fortunately, since the neighborhood

²⁸ Count provided by Troy Collins, City of Austin Code Compliance Investigator, August 2012

walk, these dumpster have been removed and replaced by regular trash carts. Furthermore, some effort has been made to repair the sidewalks, which were damaged by the weight of the dumpsters.

Additional measures have been taken to clean up the Colony Park/Lakeside neighborhood. On Wednesdays, a cleaning crew comes out to clear debris and to cut over-grown right of ways. This crew consists of Austin Resource Recovery. Moreover, to regulate issues of illegal dumping, Collins keeps an eye out for trash and the presence of dumpsters on a more regular basis. Aside from the issue of dumping in Lakeside, residents and Collins have mentioned a history of dumping in other parts of Colony Park—particularly on the south end of Sandshof Drive, which it now home to a number of low-income housing developments by Habitat for Humanity. Collins keeps an eye on this street and Aries Lane as well, where verbal warnings are given to tenants more regularly.

A drive through the Colony Park/Lakeside neighborhood revealed some of the challenges that the area continues to face, including vacant properties, overgrown lots, and piles of debris/brush in front of various properties. The owners of vacant properties have been notified, but the city has not heard back from many of them. During the drive, Collins pointed out vacant properties on Wentworth Drive and Carwill Drive, which will be boarded and secured by the City to deter criminal activity and additional damage to these properties. In regard to overgrown lots, the owners of these properties have been notified as well, but again, the City is unable to reach all of the owners. In some cases, the City cuts the lots during the regular clean up of the area. Others are left untouched, resulting in high weeds and grass throughout the neighborhood. Piles of debris/brush are common for a variety of renter and owner-occupied properties in Colony Park/Lakeside;

however, the City is not always willing and able to address them. Collins shared that many of these complaints come in from the neighborhood association who survey the area more regularly. All in all, these disputes may appear to be minor issues for some, but for those who are concerned about the crime, chaos, and poverty that these things perpetuate in the neighborhood, these issues cannot be overlooked.²⁹ Thus, residents continue to police the area.

Some other miscellaneous property code violations throughout Colony Park/Lakeside include: cars parked in the yard, goods and services being sold out of residences, and boats and RVs in public view (i.e., storage of vehicle violations). APD works with code compliance to regulate these issues; however, it is clear that residents do not always comply with requests to correct the violation(s).

Collins was unable to confirm that there are city-owned/subsidized rental properties in the area, but he believes that a significant number of them are present. Last spring, a long-time Colony Park resident charged that city-owned properties are among those that are not always properly maintained –just as privately-owned properties are not always maintained. However, during the drive, this information could not be confirmed, which made it difficult to pinpoint individual “problematic” city-owned rental properties.

*Problematic fourplexes, duplexes, and vacant lots*³⁰

Many multi-family units in the Colony Park/Lakeside neighborhood (including fourplexes or duplexes) were developed in the mid 1980s. These rental properties fuel

²⁹ Broken-Window Theory - *a criminological theory of the norm-setting and signaling effect of urban disorder and vandalism on additional crime and anti-social behavior* – reflects these sentiments.

³⁰ Properties noted by Troy Collins, City of Austin Code Compliance Investigator, August 2012

most of the discussions about the need for better maintenance and security within the neighborhood as many of them are in poor condition. Riverstone Drive, Wentworth Drive, and Garcreek Circle contain the majority of rental properties under investigation by the City in the area. They also contain most of the illegal dumping that has been cleaned up since the neighborhood walk.

Apartments Complexes

The Austin Tenants' Council Guide to Affordable Housing lists four subsidized apartment complexes around the Colony Park/Lakeside area (Council 2010). These properties are: Huntington Meadows/Gardens of Decker (1997-8), Eagles Landing (2005), Rosemont at Hidden Creek, and Park Place at Loyola (2008); however, the national housing preservation database lists only two of these properties.³¹ Notably, each of these subsidized properties was developed in the last fifteen years (or less) and was financed using either federal Low Income Housing Tax Credits, the federal Project-based Section 8 Housing program, and/or City of Austin General Obligation Bonds for affordable housing. More importantly, each lay within census tract 22.02, which contains the pilot project site for the City's future low to moderate income housing developments. Details about the four apartment complexes are listed below:

- Eagles Landing (2005) – 100+ units
8000 Decker Ln
Austin, Texas
Owner: EAGLES LANDING HOUSING PARTNER - ALPHARETTA, GA

³¹ National Housing Preservation Database. Available at <http://www.preservationdatabase.org/nhpd>
Accessed August 8, 2013

- Huntington Meadows (or Gardens of Decker Lake) (1997-8) - 100+ units
7000 Decker Ln
Austin, Texas
Owner: DECKER LANE PARTNERS L P – LAKEWAY, TX
- Park Place at Loyola (2008) – 100+ units
6200 Loyola Ln
Austin, Texas
Owner: PARK PLACE AT LOYOLA LP – LOUISVILLE, KY
- Rosemont at Hidden Creek (2005) – 100+ units
9345 E. HWY 290
Austin, Texas
Owner: TX OLD MANOR HOUSING LP – ADDISON, TX

Eagles Landing and *Park Place at Loyola* are two of the newer developments in the area. Two noteworthy reviews of these apartment complexes are provided below. Each contains some common sentiments about management, maintenance, and security of rental properties:

Eagles Landing Online Review:

“DO NOT MOVE IN HERE unless you LOVE: roaches, crack dealers, late night weekend fights, sheriff showing up consistently, a playground with broken spring coming out of the ground, half-#@& maintenance repairs, [and]

unreturned [phone calls] from the office. I'm still waiting for [maintenance] to fix something SINCE January!!

I was sweet talked into SIGNING BEFORE SEEING THE APARTMENT FIRST. NEVER AGAIN! My carpet smells like urine...I scrubbed the cabinets because there was a crapload of roach %!#& in them. I bought liners anyway. I gagged at this disgusting kitchen...If I had known how awful these [apartments] are I would have ran the other way! If I could I would break the lease. The only good thing about this place is the square footage for the rent, but even that is not worth living in scum.”³²

Park Place at Loyola Review:

“These apartments need to be shut down like yesterday. Management is very unorganized and the ----- in the office ----- can go to ----! He has no place working with other people and really should only be allowed to work alone. He needs his --- kicked. Besides management, the security there is bad and no one is safe. So if you have kids I would not suggest renting here. It's definitely not worth what you pay in rent every month because if you need something fixed you're probably better off fixing it your damn self. ATTENTION!!!! DO NOT RENT HERE AT ALL. I'D RATHER BE LIVING ON THE STREETS THAN LIVING HERE. THEY SERIOUSLY NEED TO CLOSE THESE APARTMENTS DOWN. They are dirty and nasty and no one should have to live like this.”³³

³² Apartment Ratings. Eagles Landing. Available at www.apartmentratings.com. Accessed July 26, 2012

³³ Ibid

Chapter 4: Assessing Blight in Colony Park/Lakeside

Chapter 4 presents methods and findings for Colony Park/Lakeside. In this study, a scoring system for each blight indicator was not possible. Moreover, while not all variables were available by census tract, particularly for code compliance data, GIS technology was used to create a spatial representation of the information available consistent with the geographic boundaries of the study area.

4.1 Socioeconomic Indicators

Researchers recognize some socioeconomic variables as blight indicators (See Appendix A). These variables include, but are not limited to: population density, unemployment, single parent households, poverty rates, renter occupancy, race and ethnicity, high school graduation rates, and teen pregnancy rates. The majority of this information is available at American FactFinder –an online search engine for U.S. Decennial Census Data and American Community Survey (ACS) Data. At this time, the most comprehensive datasets (by census tract) are from the year 2010. Data for high school graduation rates and teen pregnancy rates do not exist by census tract.

The following section provides a brief summary of socioeconomic indicators in the study area. This summary includes maps and immediate observations.

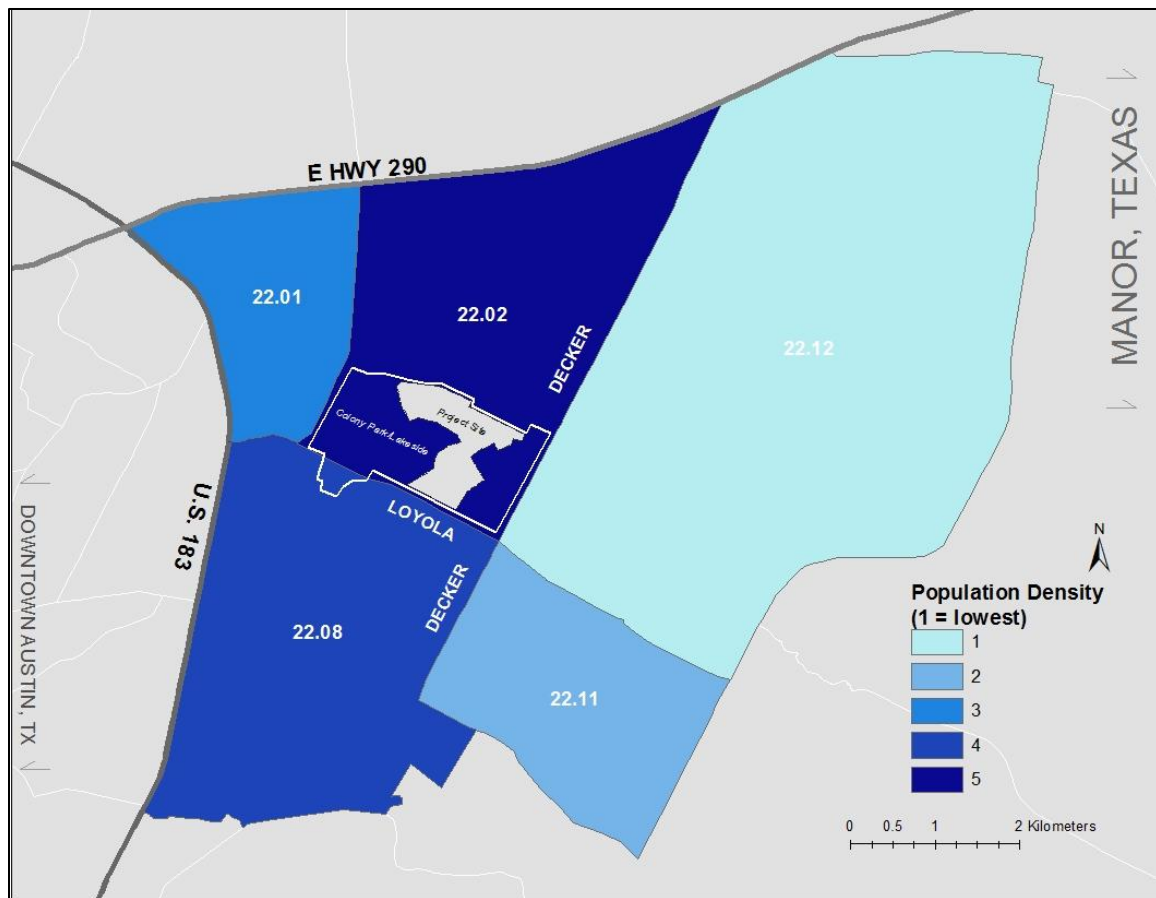


Figure 3: Population Density by Census Tract

In 2010, out of the five census tracts, census tract 22.02 had the greatest population density – that is, the greatest number of persons per square kilometer (**Figure 3**). To display this information, I divided the total population by the total area (persons/km²) of each census tract, and thereby, ranked each area from least to greatest.

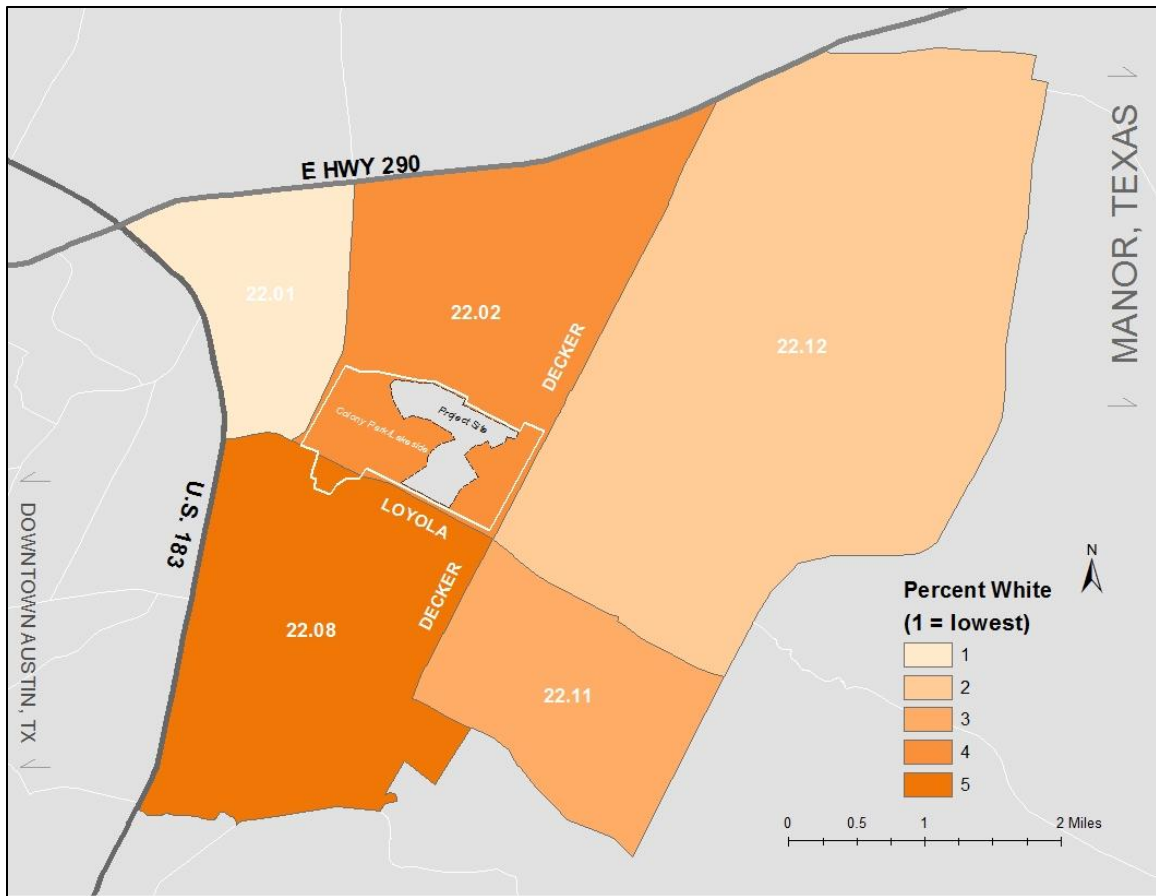


Figure 4: Percent White Non Hispanic Population by Census Tract

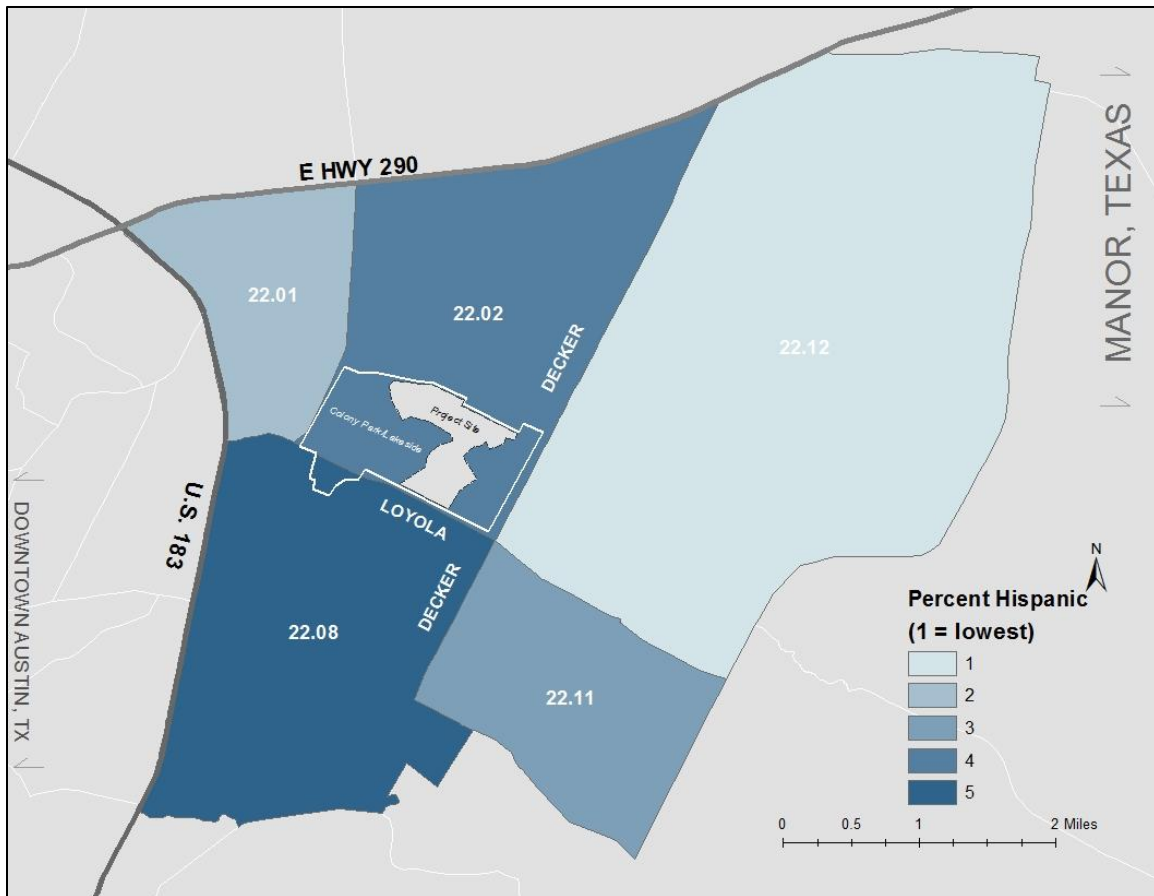


Figure 5: Percent Hispanic Population by Census Tract

In the same year, census tract 22.02 had one of the highest percent White Non Hispanic populations (**Figure 4**). This information is displayed and ranked according to the total number of White Non Hispanics as a percent of the total population in the area. The same method was applied to the Hispanic population data; and census tract 22.02 had one of the highest percent Hispanic populations (**Figure 5**).

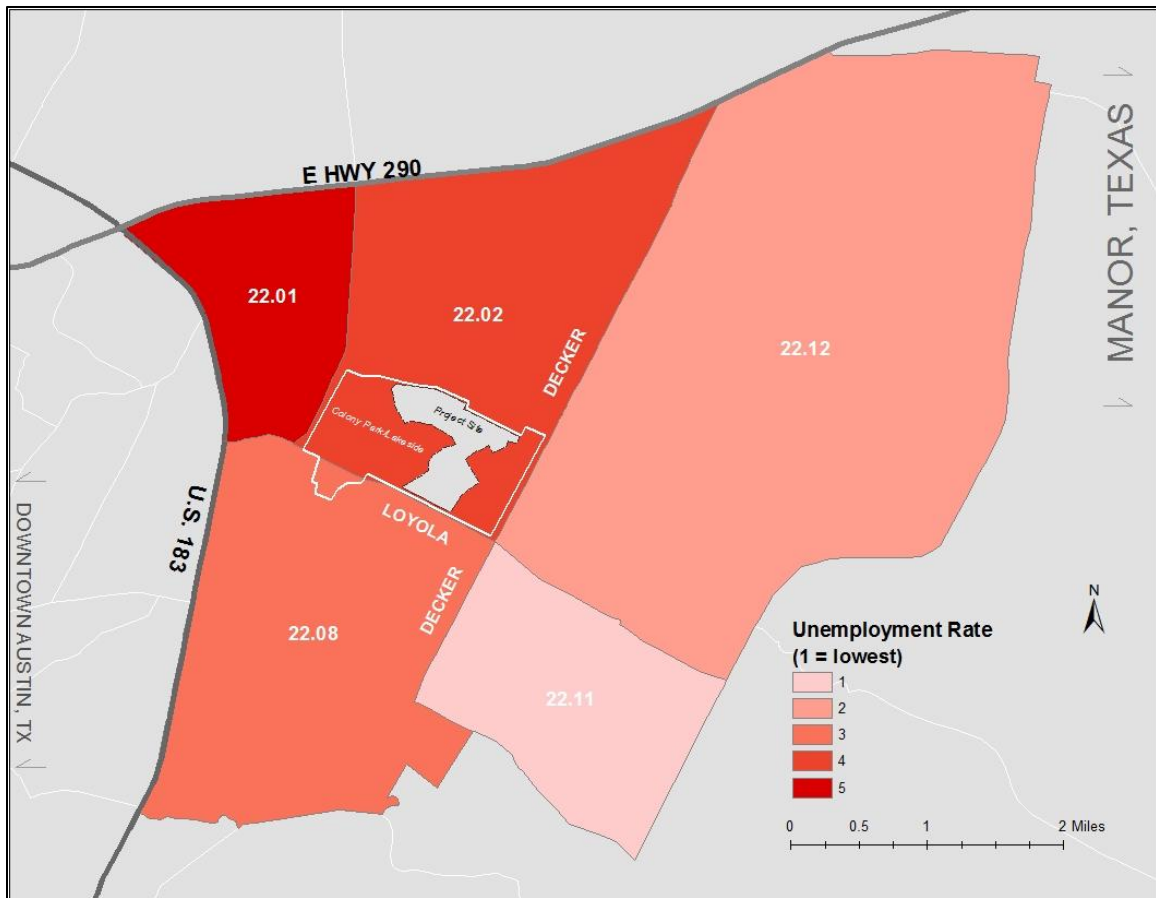


Figure 6: Unemployment Rates by Census Tract

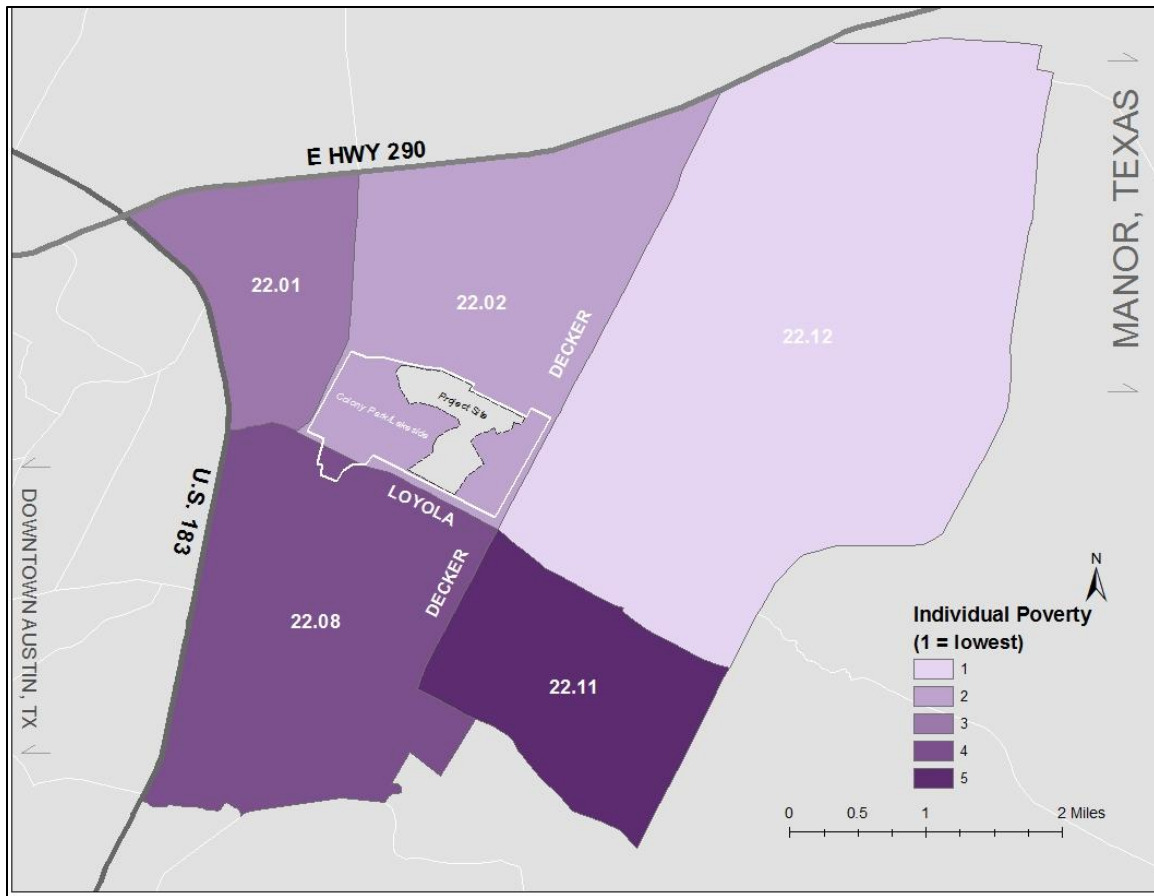


Figure 7: Individual Poverty Rate by Census Tract

In terms of unemployment, census tract 22.02 had one of the highest unemployment rates (**Figure 6**). This information is displayed and ranked according to the total number of unemployed persons as a percent of the total number of persons in the civilian labor force in each census tract. In terms of poverty, however, census tract 22.02 had one the lowest individual poverty rates (**Figure 7**). This information was already normalized.

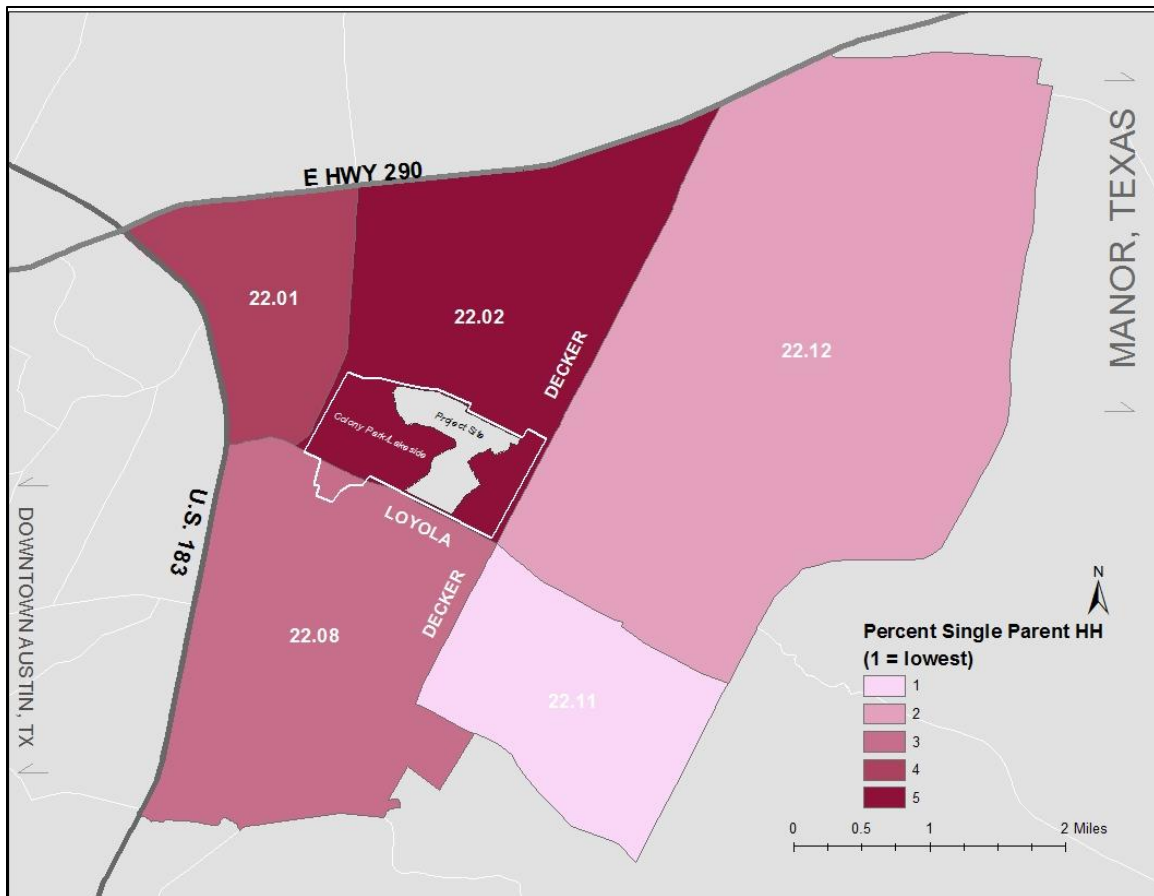


Figure 8: Percent Single Parent Households by Census Tract

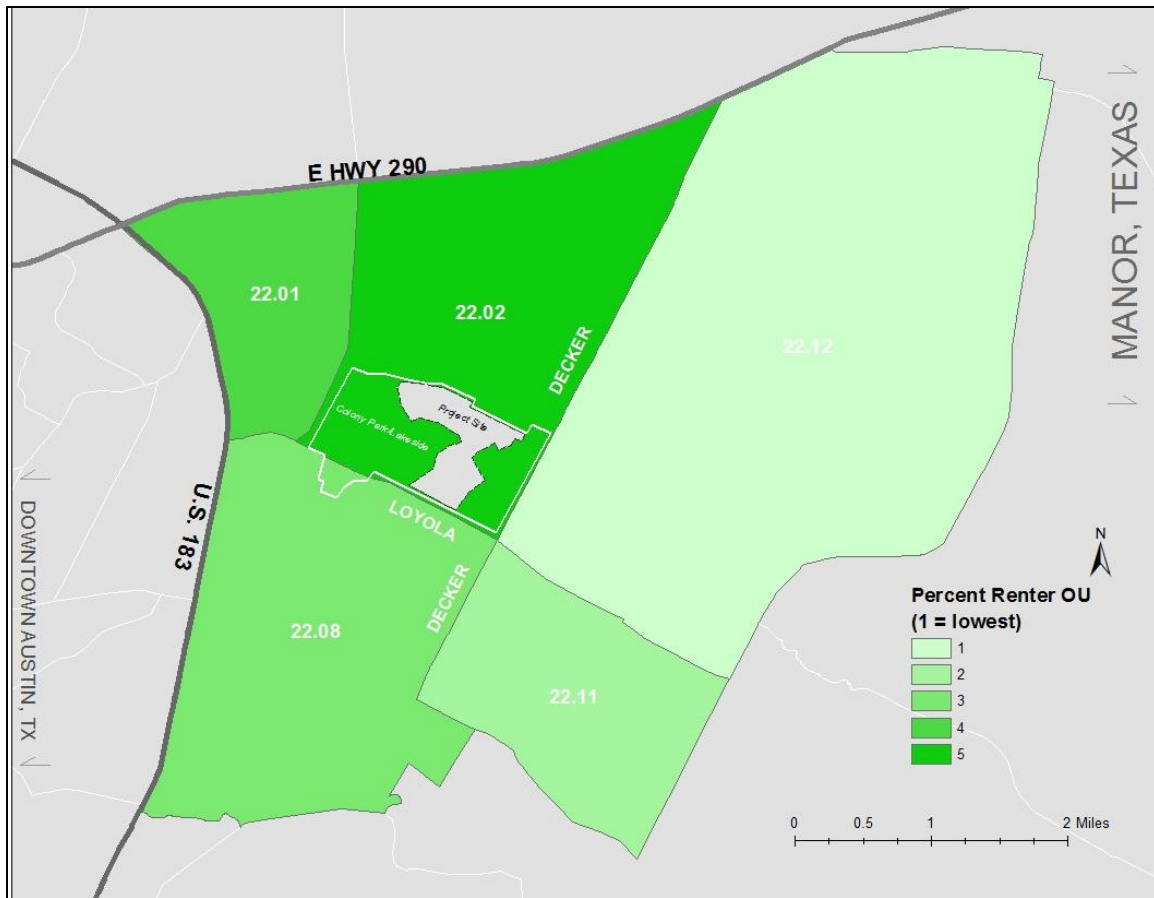


Figure 9: Percent Renter Occupied Units by Census Tract

In regard to households, census tract 22.02 had the greatest percent of single parent households (**Figure 8**). This information is displayed as the total number of single parent households as a percent of the total number of households in each census tract. In terms of occupancy, census tract 22.02 had the greatest percent renter-occupied units (**Figure 9**). This information is displayed as the total number of renter-occupied units as a percent of the total number of occupied units in each census tract.

In summary, it appears that the most dense census tracts (22.01, 22.02, and 22.08) had the highest rates of unemployment, the highest percent single parent households, and

the highest percent renter-occupied units. Additionally, the majority of White Non Hispanic and Hispanic persons were concentrated within two census tracts (22.02 and 22.08).

4.2 Code Violation Indicators

Property code violations are another type of blight indicator (See Appendix A). The naming of code violations varies by city; however, the nature of code violations is virtually the same across the country and fall into one of two categories: criminal violations or civil violations. Unfortunately, these records are only accessible at the code compliance office. Moreover, these records are searchable by address only. Thus, to obtain the information needed, all addresses point were clipped to the five census tracts in the study area and sent to the code compliance office.

A brief summary of code violation indicators follows. This summary includes a singles map and provides details about the types of code violations that were most common in census tract 22.02 and any other census tracts that stood out. Each census tract is ranked according to the total number of violations as a percent of the combined number of violations in the given time period.

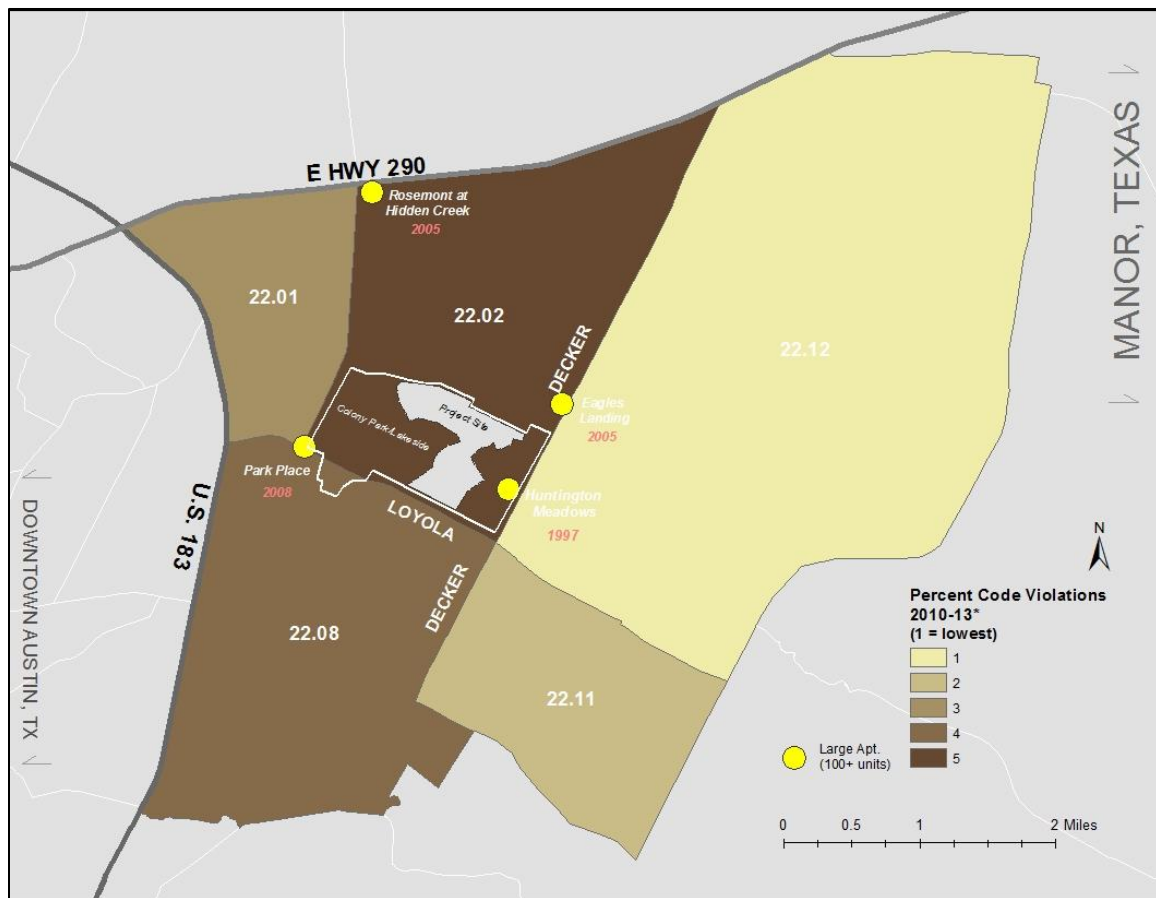


Figure 10: Percent Code Violations by Census Tract, 2010 – 13³⁴

Between 2010 and the present year, census tract 22.02 had the greatest number of reported code violations (480). This information is displayed as the total number of violations as a percent of the combined number of violations (**Figure 10**). The majority of these violations were related to construction performed without the required permit(s) (42); however, the greatest number of these cases (throughout the study area) were within census tract 22.08 (51). During the same time period, census tract 22.02 had the greatest number of electrical system hazards (12), installation deficiencies (18), interior surface

³⁴ March 2013

deficiencies (15), and other general deficiencies (27). On a related note, census tract 22.02 had the greatest number of mechanical appliance deficiencies (18), and window, skylight, and door frame deficiencies (15). Other structural violations in this area included: foundation, stairways, decks, porches, and balcony deficiencies, and tub and shower deficiencies. In terms of unsafe conditions (of a variety of sorts), census tract 22.02 had a total of 18 violations. Additionally, there were a total of 27 reports of infestations, compared to 30 for the entire study area.

Name	Location	Deficiency Type (2010-13)	Count
Huntington Meadows/Garden Oaks*	7000 Decker	General (§305.1), General (§504.1), Interior surfaces (§305.3)	9
Rosemont at Hidden Creek	9345 E 290	Infestation (§309.1)	3
Park Place at Loyola	6200 Loyola	Mechanical appliances (§603.1), Stairways, Decks, Porches and Balconies (§304.10), Unsafe Conditions (§304.1.1)	9
Eagles Landing*	8000 Decker	None	0
<i>*Subsidized</i>			

Table 1: Deficiencies for Large (100 + Units) Apartments

Overall, there were a total of 1,023 code violations reported in the entire study area. Of these violations, 99 were related to construction performed without permit(s). Next in line were general deficiencies (54), unsafe conditions (48), and window, skylight,

and door frame deficiencies of all sorts (42), mechanical deficiencies of all sorts (36), installation deficiencies (33), infestations (30), and interior surface deficiencies (24). Notably, there were virtually no code violations reported in census tracts 22.11 and 22.12. In regard to the apartment complexes, the data appears to be inconclusive as all violations associated with them were found in three individual units. A complete list of violations from 2010 to the present year in this area can be found in Appendix B.

4.3 Crime Indicators

Criminal activity is another type of blight indicator (See Appendix A). This information is accessible by Austin Police Department Crime Search –an online database of criminal activity that is available for public viewing. This website contains a quick address search and a geographic location search engine where results can be filtered by dates, starting from March 2011. The geographic location search includes: neighborhoods, census tracts, zip codes, sectors, and districts. The makeup of census tracts has changed over the years; thus, not all census tracts appear in the crime database as they do in the U.S. Census. For example, census tract 22.08, 22.11, and 22.12 are defined as census tract 22.05 in the crime database. To account for these census tracts as they are defined today, it is best to use the User Defined Area Search. For the purposes of this report, violent crimes and nonviolent crimes were considered. Violent crimes include: murders, rape, robbery, and aggravated assaults. Nonviolent crimes include: burglaries, thefts, and auto-thefts.

A brief summary of crime indicators follows. This summary includes two maps that display where the majority of violent crimes and non violent crimes occurred within

the last 2 years or so. Of course, this summary focuses census tract 22.02 and outlines the number and types of crimes that occurred in the area.

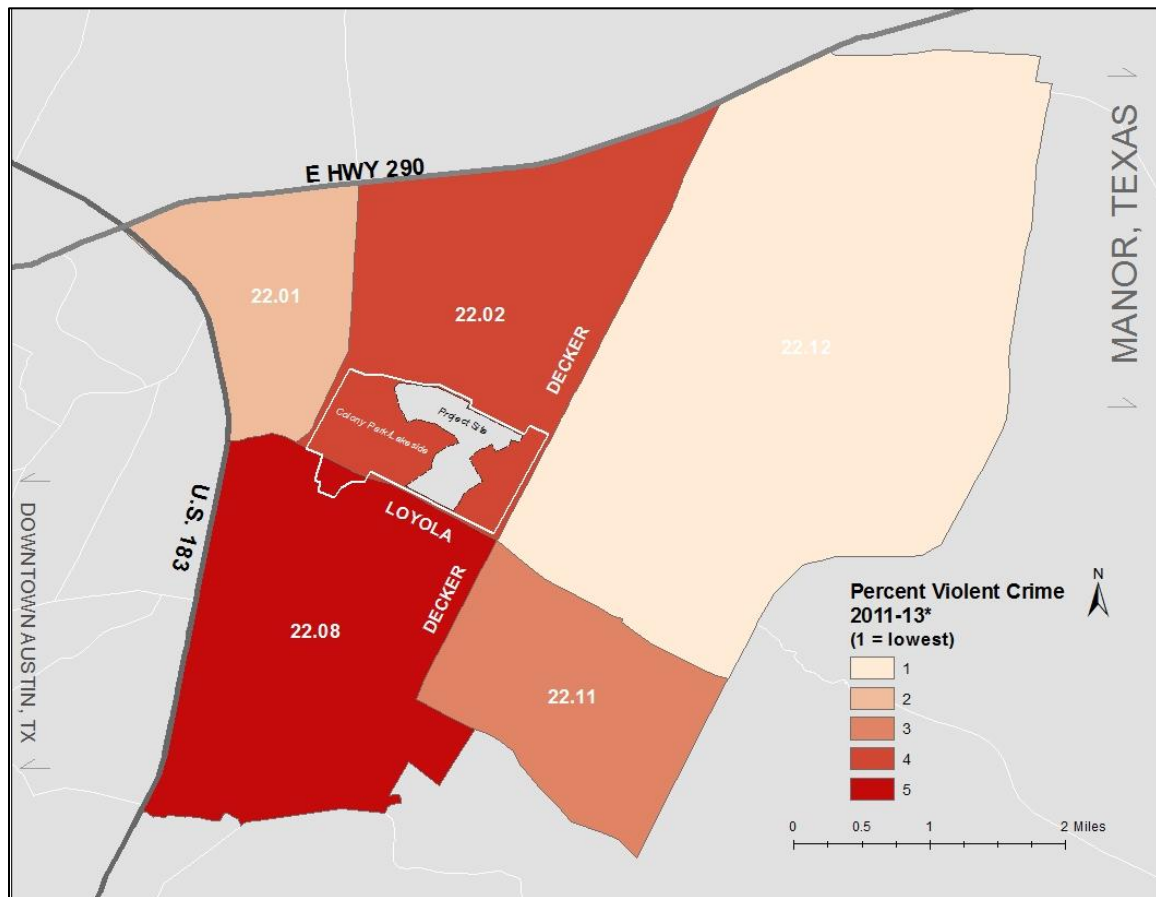


Figure 11: Percent Violent Crimes by Census Tract, 2011-13*³⁵

³⁵ March 2011 - April 2013

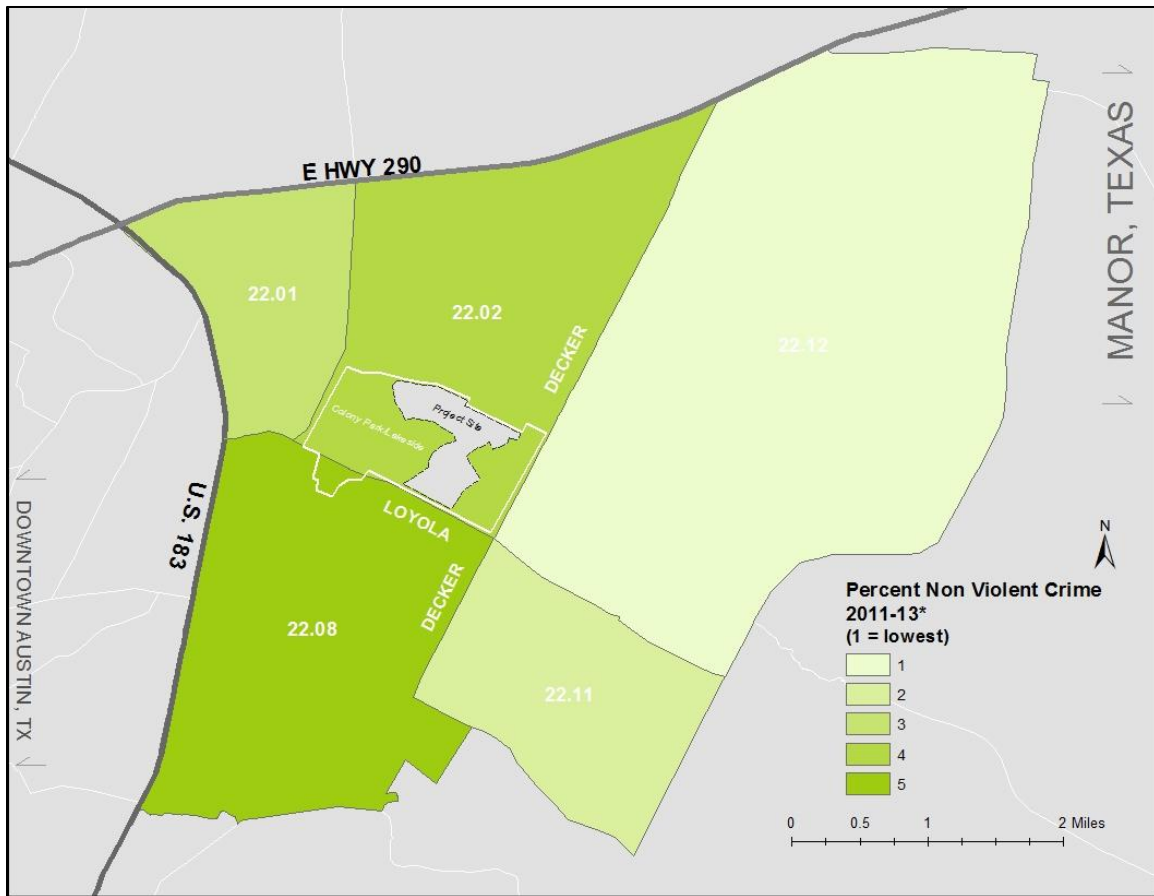


Figure 12: Percent Non Violent Crime by Census Tract, 2011-13*

According to the APD crime data, census tract 22.02 had one of the greatest numbers of crime reports between 2011 and the present year (1,539). Of these crimes, 44 were classified as violent crimes and 336 were classified as non violent crimes. Violent crimes included aggravated assaults (of all sorts) and robberies by assault and threat. Nonviolent crimes included burglaries, thefts, and auto thefts. Moreover, of the 1,539 reports, ~ 70% occurred at a place of residence. The others occurred in public places (e.g., streets, alleys, etc.). To display and rank the percent violent and non violent crimes, two maps were created (**Figures 11-12**).

4.4 Land Use Indicators

The land use blight indicators include abandoned, foreclosed, and vacant properties (See Appendix A). Unfortunately, the findings for this portion of the study were limited to vacancy rates. Thus, the following includes a map that displays the vacancy rate for each census tract with particular attention to census tract 22.02. A breakdown of vacant residential properties and vacant commercial properties, however, could not be accessed without an affiliation with a governmental entity or a nonprofit organization.³⁶ Due to dramatic changes in land value from 2010 to the present year, this information has been excluded from the analysis.

In 2010, census tract 22.02 had the greatest vacancy rate in the study area (**Figure 13**). To display this information, I divided the total number of vacant units by the total number of occupied units in each census tract. In theory, this explains residents' concerns about vacant and abandoned properties in Colony Park/Lakeside.

³⁶ U.S. Postal Service Vacant Address Data. Available at: <http://www.huduser.org/portal/usps/index.html>

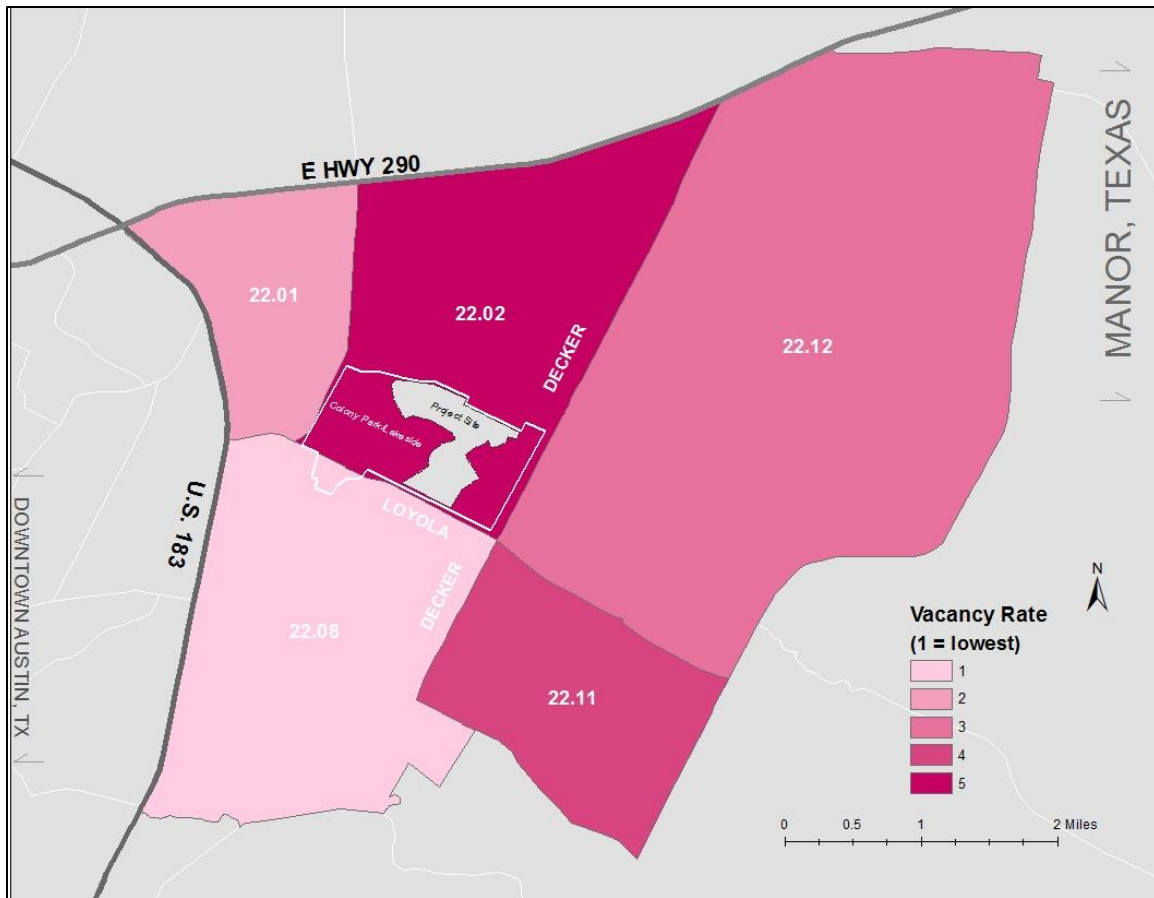


Figure 13: Vacancy Rate by Census Tract

4.5 Closing Remark

In summary, there is not enough information associated with the select groups of blight indicators to draw any score-based conclusions in this study; nevertheless, the descriptive maps presented in this chapter provide some indication of how each census tract stacks up to the others (**Table 2**).

Indicators	Rank by Census Tract				
	22.01	22.02	22.08	22.11	22.12
Population Density	3	5	4	2	1
Percent White Non Hispanic	1	4	5	3	2
Percent Hispanic	2	4	5	3	1
Percent Single Parent Households	4	5	3	1	2
Percent Renter-Occupied Units	4	5	3	2	1
Unemployment Rate	5	4	3	1	2
Individual Poverty Rate	3	2	4	5	1
Percent Code Violations*	3	5	4	2	1
Percent Violent Crimes*	2	4	5	3	1
Percent Non Violent Crimes*	3	4	5	2	1
Vacancy Rate	2	5	1	4	3
<i>*January 2010 - March 2013</i>					

Table 2: Ranks for Individual Indicators by Census Tract (1 = Lowest)

Chapter 5: Discussion

Chapter 5 includes study limitations and action-driven steps for understanding and mitigating blighted conditions in Colony Park/Lakeside. In summary, it includes key data-related takeaways from the quantitative analysis, thoughts on improving landlord-tenant accountability, words of advice concerning the exercise of political power around blighted conditions, and recommendation for including Colony Park/Lakeside in a renter registration pilot study. This chapter concludes with personal lessons learned.

5.1 Blight Indicator Analysis Takeaways

Although this study does not contain a complete blight indicators analysis, it provides some indication of public data sources and issue areas that could be explored in greater detail. In particular, it points to code violations and criminal activity in census tract 22.02, which contains Colony Park/Lakeside. A complete analysis would require more usable and accessible datasets that could be aggregated to the census tract level or some other geographic boundary that closely resembles that of a single neighborhood. Moreover, these datasets would need to be as consistent as possible for anyone interested in replicating this study in other Austin-area neighborhoods for comparison purposes. For future research, it is highly recommended that public datasets, such as code violations, be made available at the census tract level to clearly represent code violation types and counts in a particular area. Limited time and the inaccessibility of the necessary data sources did not allow for a more comprehensive analysis.

5.2 Code Enforcement and Landowner-Tenant Accountability

Code violations are complex, and a number of obstacles may inhibit the City's ability to address them. Currently, it appears that the City does not have the power to make landowners and tenants abide by property codes, which suggests that a more proactive code enforcement system should be established. In some cases, where the landowner is at fault, tenants may be forced to abandon their home—at least until their landowner corrects any deficiencies or violations. In other cases, it may be up to the tenant to address “minor” deficiencies and/or code violations, that is—if the City does not address them soon enough. No matter where the complaint comes from—be it from the tenant, the surrounding community, or the City—it is clear that there are no guarantees that the maintenance and security of rental properties will occur as expected. Given that low-income tenants are less likely to report property code violations and code compliance officers are less likely to visit suspect properties without reported violations, a new discussion needs to begin on how to better enforce maintenance and building codes in order to fully support tenants' rights and to uphold the conditions for maintaining rental properties throughout Colony Park/Lakeside and the Austin area. The greatest challenge for the neighborhood association and the City is to communicate with absentee landlords more regularly, to correctly identify them, and to ensure that they (and their tenants) maintain livable conditions on the property, for current and prospective tenants.

5.3 Low-Income Renters and Political Power

Current residents, including low-income renters, could exercise their political power in ways that compensate for their lack of economic power. Moreover, they could

define the objectives and goals for revitalization in their neighborhood to garner support from a variety of individuals and groups in and around their neighborhood. These could mean identifying blight indicators with local institutions (e.g., The University of Texas at Austin, or Austin Community College) and including plans for addressing them together with the City's plan for development. In this regard, existing residents would see the benefits of the planning process in an ongoing way. Additionally, they would be responsible for holding the City accountable in making more pressing issues, such as code enforcement, a top priority. This is to say that the City's plans should not merely include plans that may not get underway for another few years or so. Rather, the City's plan should include a vision that relates to the neighborhood's short-term objectives and goals, which would not require an excessive amount of time or financial means.

5.4 Street Maintenance Survey

Additionally, current residents could employ a community-led street maintenance survey. This type of survey is designed to help residents identify and map physical symptoms of blight that go beyond property code violations. More specifically, a street maintenance survey accounts for the conditions of roads, including: materials, manholes covers, potholes, and storm drains. If the residents' findings suggest that the conditions of roads are unfavorable, this information could be brought to the City for further investigation. An example of a street maintenance survey is presented in the Appendix C. This community-driven research method has been helpful to residents of neighborhoods severely impacted by blighted conditions post hurricane Katrina in New Orleans (Thompson 2012). For the purposes of this study, this survey could serve as another tool for empowerment and a call to action in bringing the Colony Park/Lakeside

neighborhood up to better standards. Mapping the results of a street maintenance survey and combining them with results from a blight indicators analysis could provide a compelling visual of the most problematic areas of Colony Park/Lakeside, at the street level.

5.5 Suggestions for Pilot Study

In closing, Colony Park/Lakeside could use this limited blight indicators analysis to introduce additional conversations with the City concerning problem properties, code enforcement, and stricter penalties for code violators. Based on the findings in this report, the Colony Park/Lakeside area could be considered for a pilot study concerning code violations and rental property registrations with the City. A study such as this was recently proposed; however, it does not include Colony Park/Lakeside at this time (See Appendix D). This study will focus on the East Riverside/Oltorf Combined Neighborhood, Central Austin Neighborhood Advisory Committee Planning Areas, Hyde Park, Northfield, and North Loop. Even so, it is highly recommended that City workers and community members consider the number of code violations in Colony Park/Lakeside and compare them to other Austin-area neighborhoods, particularly those that appear to be more socially and economically viable. This would provide some insight concerning where Colony Park/Lakeside stands in regard to the rest of the city.

5.6 Final Remarks

This study has given me knowledge that will be invaluable to my work in the public sector. First and foremost, I have gained a greater appreciation for community-controlled neighborhood revitalization efforts. More often than not, City workers have a

limited understanding of the unique needs of each neighborhood, or what residents are most interested in addressing collectively. However, listening to and working with neighborhood groups is beneficial in that it allows the City to consider residents' perspectives concerning how time and resources could be better spent in each neighborhood. Members of the CPNA have demonstrated a great deal of leadership over the last couple of years, and despite their frustrations with the City and limited resources, these individuals have been persistent in their efforts to revitalize the place that they call home. Second, the CPNA has inspired me to think more critically about how public datasets are managed for research and neighborhood revitalization purposes. More specifically, the CPNA has inspired me to find ways to communicate information that may be beneficial to the general public and neighborhood groups in furthering their agendas and addressing quality of life issues. My hope is that more streamlined and accessible data sources and research tools will be made available to them as they continue their work. Lastly, my hope is that these tools will help build bridges between City works and the neighborhoods that they intend to serve.

Appendix A

Variable (CONDITION)	Measure	Data Available
1. Socio Economic Indicators (Census)		
Population 2010	Population 2010	Yes
Unemployment	Unemployment Rate	Yes
Single parent HH	No. of single parent HH	Yes
Poverty	Rate of poverty	Yes
Renter occupied	No. of rental HH	Yes
Race	White and non-white	Yes
Ethnicity	Hispanic	Yes
High school graduation	Dropout rate in high school	No
Teen pregnancies	Teen pregnancy rates	No
2. Code Compliance (City of Austin Code Compliance Department*)		
Bulky trash violations	Criminal or civil	Yes
Bulky trash violations apts.	Civil	Yes
Burned structure apts.	Civil	Yes
Burned out structure	Criminal or civil	Yes
Dumpster violation	Criminal	Yes
Dumpster violation apts.	Criminal or civil	Yes
High weeds	Criminal or civil	Yes
High weeds apts.	Civil	Yes
Illegal dumping	Criminal or civil	Yes
Illegal garbage/ placement	Criminal or civil	Yes
Illegal garbage/ placement apts.	Civil	Yes
Illegal Outside storage	Criminal	Yes
Illegal Outside storage apts.	Criminal	Yes
Illegal vending	Criminal	Yes
Illegal vending-Eve/Weekends	Criminal	Yes
Illegal vending apt.	Criminal	Yes
A/c Inoperable apts.	Civil	Yes

A/c Inoperable residential		
Tenant	Civil	Yes
Junk motor vehicle	Criminal or civil	Yes
Junk motor vehicle apts.	Criminal	Yes
Litter	Criminal or civil	Yes
Litter apts.	Criminal or civil	Yes
Motor vehicle repair violation	Criminal	Yes
Mow/clean request	Civil	Yes
Noise pollution	Criminal	Yes
Open and vacant structure	Criminal or civil	Yes
Open and vacant structure apt.	Civil	Yes
Substandard structure	Criminal or civil	Yes
Substandard structure apts.	Criminal or civil	Yes

3. **Criminal Activities (City of Austin Police Department*)**

Violent crime	No. of murders/rape/robbery/agg. assaults	Yes
Nonviolent crime	No. of burglaries, thefts, auto-thefts	Yes

Land Use (Austin Community Land Trust, Travis County Appraisal District*, Travis County Tax.ORG)

4. Abandoned	Residential/comer. lots and buildings	No
Foreclosures –tax	No. of tax foreclosed prop.	Partial
Foreclosures - mortgage	No. of mortgage foreclosed prop.	Partial
Vacant Properties (commercial)	No. of vacant commercial prop.	Yes
Vacant properties (Residential)	No. of vacant residential prop.	Yes
Property Values	Median household value	Yes
City tax valuation	Amount taxable by land use	Yes

Source: Sudha Arlikatti—Associate Professor and Program Coordinator of Emergency Administration and Planning at the University of North Texas (UNT)

Appendix B

Deficiency	Census Tract				
	22.01	22.02	22.08	22.11	Total
Accessory Structures (§302.7)		6	9		15
Accumulation of rubbish or garbage (§308.1)			3		3
Auto Repair	3	6	3		12
Bathrooms and toilet rooms (§403.2)		3	3		6
Building security (§304.18)	3	3			6
Business Activities conducted outside the Dwelling unit	3	3			6
Certificate of Occupancy			6		6
Change of Use				3	3
Change-of-Use			3		3
Chimney and Towers (§304.11)	6				6
Commercial Vehicle Stored on Premises			3		3
Concrete (§306.1.1.2)			3		3
Construction performed without required permit(s)		42	51	6	99
Cover Plates			3		3
Dangerous Conditions-Attractive Nuisance		3	3		6
Dangerous Conditions-Passageways			3		3
Dangerous structure or premises (§108.1.5.10)		3	3		6
Dangerous structure or premises (§108.1.5.3)	12	3			15
Dangerous structure or premises (§108.1.5.4)		3			3
Dangerous structure or premises (§108.1.5.5)		6			6
Dangerous structure or premises (§108.1.5.6)		9			9
Dangerous structure or premises (§108.1.5.7)	3		6		9
Dangerous structure or premises (§108.1.5.8)		3			3
Defacement of Property (§302.9)		3			3
Development of Property			3		3
Disposal of garbage (§308.3)		3			3
Door(s)		3	3		6
Doors (§304.15)	12	6	12		30
Doors (§304.18.1)			3		3
Drain/Waste/Vent System		3	3		6
Duct Systems - General (§607.1)		3	3		6
Electrical Equipment Exposed to Fire (§604.3.2.1)		6			6
Electrical Equipment Exposed to Water (§604.3.1.1)	9		3		12
Electrical Equipment-Lighting			3		3
Electrical System Hazards (§604.3)	3	12	6		21
Exterior Wall Covering			3		3
Exterior Walls (§304.6)	6	9	12		27
Facilities required (§602.1)		3			3
Faulty Materials of Construction	3				3
Fire Protection-Smoke Detector		9	3		12
Fire-resistance-rated assemblies (§703.1)		3			3
Fixture clearances (§504.2)			3		3

Table continues on next page.

Deficiency	Census Tract				
	22.01	22.02	22.08	22.11	Total
Foundation Walls (§304.5)	6	9	6		21
General	3				3
General (§305.1)	9	21	6		36
General (§504.1)	6	6	6		18
General (§506.1)			3		3
General (§702.1)	3		3		6
Grading and Drainage (§302.2)	3				3
Handrails and Guardrails (§307.1)		6			6
Handrails and Guards (§304.12)		9			9
Handrails and guards (§305.5)	3				3
Heat supply (§602.3)		9			9
Inadequate Sanitation-Fixture Requirements		3			3
Inadequate Sanitation-Installation and Maintenance		3			3
Infestation		3			3
Infestation (§309.1)	3	27			30
Installation (§605.1)	9	18	6		33
Insulation			3		3
Inferior doors (§305.6)	3	6			9
Inferior surfaces (§305.3)	3	15	6		24
Kitchen Sink(s)	3	3			6
Lavatory	3				3
Location (§503.2)			3		3
Luminaires (§605.3)		3			3
Maintenance (§506.2)			6		6
Masonry (§306.1.1.4)			3		3
Mechanical appliances (§603.1)	12	18			30
Mechanical Requirements-Ventilation			6		6
Minimum Setbacks		6	3		9
More than One Vehicle per Licensed Driver	3	9	3		15
Multiple occupancy (§309.4)		3			3
Occupant (§309.5)	3	9			12
Other requirements (§404.4.5)			3		3
Owner (§309.2)	3	3			6
Plumbing system hazards (§504.3)	3		3		6
Prohibited		3			3
Prohibited occupancy (§404.4.4)			3		3
Prohibited Signs		3			3
Protective Treatment (§304.2)		3	6		9
Receptacles (§605.2)		3	6		9
Recreational Vehicle	6	15	3		24
Removal of combustion products (§603.2)			3		3
Residential occupancies (§602.2)		3			3

Table continues on next page.

Deficiency	Census Tract				
	22.01	22.02	22.08	22.11	Total
Roofs and Drainage (§304.7)	6	6	3		15
Room temperature measurement (§602.5)		3			3
Sanitation (§302.1)		3	3		6
Scrap and Salvage Services	3	3			6
Shelter	3				3
Sidewalks and Driveways (§302.3)	3	3	3		9
Skirting, Porches, and other Additions			3		3
Smoke alarms (§704.2)	3	9	3		15
Soils (§306.1.1.1)			3		3
Stairs and walking surfaces (§305.4)	3	3			6
Stairways, Decks, Porches and Balconies (§304.10)	3	9			12
Steel (§306.1.1.5)			3		3
Structural Members (§304.4)		3	3		6
Tub/Shower	3	9			12
Uncleanliness		3			3
Unsafe Conditions (§304.1.1)	3	6	18		27
Unsafe conditions (§305.1.1.6)		3	3		6
Unsafe Structures (§108.1.1)	6	9			15
Vacant structures and land (§301.3)			3		3
Vehicle Storage	3	6			9
Wall(s)			3		3
Water closet accessibility (§404.4.3)			3		3
Water heating facilities (§505.4)		3	3		6
Weeds (§302.4)	3	9	3		15
Window, Skylight and Door Frames (§304.13)	9	12	6		27
Window, Skylight and Door Frames (§304.13.1)	6	3			9
Window, Skylight and Door Frames (§304.13.2)	3		3		6
Zoning Violations			3		3
Grand Total	210	480	324	9	1023

Appendix C

Street Maintenance Survey Guide

Road Type:



Asphalt



Concrete

Manhole Cover:



Slightly Raised:
Raised 1" to 4"



Severely Raised:
Raised more than 4"



Raised and Severely Raised:
More than one type of manhole problem

Pothole:



Small Potholes:
Smaller than an average dinner plate



Large Potholes:
Larger than an average dinner plate



Small & Large Potholes:
More than one type of pothole problem

Storm Drains:



Clogged:
Debris covering three-quarters or more of grate



Broken:
Large visible cracks or is sunken



Clogged & Broken:
Street segment containing both types of problems

Source: Michelle Thompson, PhD—Program Director of WhoData

Appendix D

City of Austin Resolution NO. 20130606-050 - Adopted June 6, 2013

WHEREAS, the City is committed to ensuring that residential rental properties are safe and maintained in every area of our community; and

WHEREAS, with recent structural failures identified in multifamily residences that endangered public health and safety, better means are needed to ensure these property owners manage their properties responsibly to protect the community welfare; and

WHEREAS, existing policy has not sufficiently assured compliance with applicable standards because the current policy only allows inspections based on complaints, after conditions may have deteriorated significantly; and

WHEREAS, it is the intent to develop additional regulations for rental units located within the City that have received multiple building code citations in order to better protect the health, safety and welfare of the tenants who reside in these rental units and their surrounding neighborhoods; and

WHEREAS, in 2009 a similar resolution was adopted 'by Council creating a stakeholder process, but that process never resulted in a rental registry program; and

WHEREAS, the Planning Commission initiated a Stealth Dorm working group to address occupancy and other issues that have had particular impacts on several neighborhoods; and

WHEREAS, Rental Registration could also address safety, occupancy and other issues associated with Stealth Dorms; and

WHEREAS, the City of Austin has had to spend considerable resources on non-compliant multi-family complexes in the East Riverside/Oltorf Combined Neighborhood area (EROCC); and

WHEREAS, the Austin Police Department was awarded a grant entitled "Restore Rundberg" to improve the quality of life, health, safety, education, and well-being of individuals living and working in the Rundberg neighborhood, and a rental registry will assist the Austin Police Department in partnering with property owners; and

WHEREAS, the Code Compliance Department is supportive of a rental registration program and believes the program is necessary to solve many code compliance issues with rental properties; and

WHEREAS, other cities including Pittsburgh, Pennsylvania, and Raleigh, North Carolina, as well as over twenty Texas cities including Houston, Dallas, College Station, Sugarland, Plano, Fort Worth, Garland, Arlington, Waco, Missouri City and Hurst have implemented successful residential rental property registration programs to ensure the safety of their residents;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is hereby directed to develop a one-year pilot registration program for any residential rental property in the areas of North Austin Civic Association (NACA),

"Restore Rundberg", East Riverside/Oltorf Combined Neighborhood (EROC), Central Austin Neighborhood Advisory Committee (CANPAC) Planning Areas, Hyde Park, Northfield and North Loop. Consistent with many registration programs elsewhere, the program should include names and contact information for local property managers, periodic scheduled inspections, and a listing of tenant's names if feasible given privacy concerns. This program should require registration for multifamily rental properties and identify conditions under which registration for single family or duplex rental properties would be required. The City Manager is further directed to work with stakeholders in the course of developing the program and present an ordinance, including a plan for program evaluation, to Council within 90 days.

BE IT FURTHER RESOLVED:

The City Manager is further directed to take the proposed ordinance to the Community Development Commission and the Building and Standards Commission for review before presenting to the City Council.

BE IT FURTHER RESOLVED:

The City Manager is further directed to initiate a code amendment that would allow for enhanced fines after the first conviction of a city code violation related to property maintenance.

Appendix E

Public Data Sources

American Community Survey (ACS) Data [2006-10 Demographic and Household Characteristics Data by Census Tract]. Washington, DC: U.S. Census Bureau. Available FTP: <http://factfinder2.census.gov> . [March 1, 2013]

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City of Austin [Code Violations Data]. Austin, Texas: Code Compliance Department, January 2010 – March 2013.

City of Austin GIS Data Sets [Address Points, Arterials, Lakes and Ponds, Street Centerlines]. Austin, Texas: City of Austin, 2004-2013. Available FTP: ftp://ftp.ci.austin.tx.us/GIS-Data/Regional/coa_gis.html. [August 1, 2013].

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